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SPEECHES OF HON. WILLIAM D. KELLEY.

R E P L I E S

OF THE

HON. WILLIAM D. KELLEY

TO

GEORGE NORTHROP, ESQ.,

IN THE

JOINT DEBATE IN THE FOURTH CONGRESSIONAL DISTRICT.

PHILADELPHIA:

COLLINS, PRINTER, 705 JAYNE STREET.

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Reply of Hon. William D. Kelley to George Northrop, Esq.

IN THE HALL OF THE SPRING GARDEN INSTITUTE FRIDAY EVENING,
SEPTEMBER 23, 1864.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

Fellow-citizens.—I thank you for the good order you have preserved. If this discussion can be carried through, a great advance will have been made in, I think I may say, our civilization. If we can inaugurate a system by which the people of both, or of all parties, if there should be more than two in the canvass, shall come together and hear their representatives discuss the questions, the principles and the measures involved, a great improvement in our political machinery will certainly have been made; and I hope that every friend of mine will be as silent throughout the discussion as you have been during the speech you have heard. I am quite sure that those who differ from me in opinion will accord to me the same respectful treatment with which the suggestions of their representative have been received by my friends.

I agree, as does every member of the Administration party, with the first two propositions laid down by my distinguished competitor. I am here at his request; I will not say challenged by him, but invited, to meet you and discuss the issues of the day with him. I shall endeavor to do so fearlessly and in the spirit of a patriot, striving only to promote the welfare of my country and yours, the home of our prosperity.

My friend's first proposition is that the "Constitution of the United States, within its limitations, is the supreme law of the land, and the only bond of the Union of the States." As I have said, I accept this proposition. It governs the head of the Administration that I sustain. It controls the conduct of the members of the party to which I belong. I wish you, however, to mark a single phrase, not dropped, but reiterated, and dwelt upon by my competitor, which is utterly inconsistent with this, his leading proposition. I refer to the phrase "sovereign States." Sovereignty is supremacy. That which is sovereign is supreme; that which is sovereign governs and controls all within the sphere of its jurisdiction. The Constitution of that Nation known as the United States was, from the hour it went into effect, the supreme law of our whole land, and is now its supreme law, and the great issue testing by the American people on the battle-field to-day is, whether that Constitution shall be maintained as the supreme law of the land, or whether it shall be trampled under foot, and each State Constitution be recognized as the supreme law of whatever territory may lie within the limits of that State; the question is whether we have a country, and a Constitution which is the supreme law of that country, or whether the Constitution of the United States is idle words, and the supreme law of the land is to be found in conflicting instruments called the Constitutions of thirty-five "Sovereign States." Either the Constitution of the United States is sovereign, or it is waste paper; and if it is sovereign, then there can be no "Sovereign States" within the limits of the United States.

My friend's next proposition is (and I accept it, as every school-boy must), "that the only mode by which the Constitution can be altered or amended is prescribed by that instrument itself." This proposition expresses one of the cardinal doctrines of the party I have the honor to represent in this discussion. It is part of the faith of every member, because it is written legibly as type or the human hand can write it in the language of the Constitution.

Now, my fellow-citizens, as my competitor and I agree, and as you all agree, that the Constitution is the supreme law of the land, let us ask, what is the extent of that land? On the inauguration of James Buchanan's administration, it consisted of certain States and territories. Among the States were South Carolina, Georgia, Alabama, Mississippi, Louisiana, Florida, and Texas. Among the States were also Arkansas, Delaware, Kentucky, Maryland, Missouri, North Carolina, Tennessee, Virginia; and there was the District of Columbia. These States and that District, in conjunction with the Northern States and our broad territories, made the land of which that Constitution was the supreme law. Yet during the administration of James Buchanan, there was an attempt made to rob that Constitution of its supremacy over all the States I have named and the District of Columbia, the capital of the country. On the eighth of February, 1861, and I wish you to bear in mind that Abraham Lincoln did not become President till the fourth of March, 1861, in utter disregard of the

Constitution of the United States, a Confederacy, consisting of South Carolina, Georgia, Alabama, Mississippi, Louisiana, Florida, and Texas, was organized in the city of Montgomery, in the State of Alabama; under articles known as the Constitution of the Confederate States of America, and on the next day those who had organized it proceeded to elect Jefferson Davis, of Mississippi, President of that Confederacy, and A. H. Stephens, of Georgia, Vice-President. My distinguished friend has put a list of questions to me, which I shall answer as I proceed. But I have to ask him to point me to the clause in the Constitution which authorizes the amendment which proposes thus to restrict its supremacy to less than half our country. Where in the scope of that instrument—by which one of its articles—by what clause of that article—were those men authorized so to amend our Constitution that it should not cover any one of the eight States embraced in the Confederacy? But again in a few days there appeared in council with the men who organized that Confederacy representatives from Arkansas, Kentucky, Missouri, North Carolina, Tennessee, and Virginia, and they proposed to so further amend the supreme law of our country, that it should be no law at all over nearly a million of square miles of that country; and I again ask the gentlemen to point me under his two first propositions, to the provision of the Constitution under which those important amendments were made.

Whose country was it that these felonious conspirators undertook thus summarily to dispossess of? Our ancestors acquired part of it by the right of settlement. They came pilgrims to an inhospitable coast. They made their homes among the savage Indians. They endured the tempest-tossing of the Atlantic in the little barks, called ships at that day, and they dotted the hard and rock-bound coast of that ocean from Plymouth Rock to Oglethorpe's community in Georgia. They and their posterity, and others like themselves, escaping from the despoticisms of Europe, from poverty and want, came and settled this country. In the course of years they reduced the wilderness, they built the village, the town, the city; they reared the school-house, the church, the college; they made roads into the wilderness and followed them by settlements. They extended their boundaries and became a great people. When the mother-country undertook to control them improperly, they went to war in vindication of their rights, and during eight long years they sanctified that country to us by pouring out their taxes, their blood, their lives, alike upon the hills of hated New England and the plains of pestilent South Carolina. The sons of New England died everywhere in that war; and here on the soil of our own great State the men of the South and of New England fought together upon common territory belonging specially to neither. After eight years of war, and taxes, and death, liberty was achieved, and a Constitution framed, deliberately framed, in our own city; it was submitted to the people of the States, and one after another of those States adopted it; the Southern States, at least Georgia and South Carolina, coming in among the latest. It was, however, adopted by the people of all the States, and from that day it remained the supreme law of those States and all the territory belonging to them, and all the territory they might acquire. Subsequently to that, it was found that Spain held a province that might be dangerous to our peace. The American people—not the people of the Southern States—still less the people of that province or of the adjoining States alone, but the American people, acting by the United States Government, with money paid out of the common treasure, bought Florida from Spain. The Emperor Napoleon held another territory, that which in part bounded the Gulf, and held the key to the great arterial river of our country, the Mississippi. While a foreign nation held the mouth of that river, the resources of the Northwest might at any time be crippled. That river was the outlet to the sea for the great and rapidly expanding Northwest. Through that river and over the Gulf of Mexico the products of the Mississippi valley and of the Northwest were to find their way to market; and over that river the articles imported into that extended region were to come; for in those days the railroad system was unknown. Thus, unless the United States possessed the full control of the outlet to the Mississippi the great Northwest might be shut out from the commercial world. Its produce could not be waggoned thousands of miles and over the Alleghany Mountains to the sea coast. Therefore the United States Government bought Louisiana from France as it seventeen years afterward bought Florida from Spain—the people of New England, Pennsylvania, New York, and every other Northern State paying their proportion for the purchase as well as those of South Carolina and Virginia. It was, you perceive, our property, my fellow-citizens, that those conspirators thus attempted to transfer to a foreign government. We, or our ancestors, bought it, our government being the agent in the purchase.

Again: there lay contiguous to Louisiana an empire equal to six of the largest States of the Union. It bounded the gulf whose freedom is so essential to the development of our country from the Sabine to the Del Norte. It had been wrested from a neighboring government, Mexico, by our own people, who had gone there and settled, and had come to be known as the State of Texas. We admitted that State into the Union, and that act led to war with Mexico. So that, though we had paid for it in money, by the assumption and extinguishment of its enormous debt, we paid for it again in the blood of our sons and brothers, shed on the fields of Mexico. The expenses of the Mexican war in blood and treasure were but part of the price the people of the Nation paid for Texas.

Whether the Constitution of the United States is the supreme law of those States is the question to be settled by our armies or by us at the coming election. If it is not, why is it not? If it is not, when and how did it cease to be?

What provision does the Constitution make for its own amendment? It provides that Congress may, by a two-third vote of each House, propose any amendment which shall be submitted to the States, and when the Legislatures of three-fourths of the States, shall have adopted it, or when conventions of those States, having been called for that purpose, shall, to the number of three-fourths of the whole number of States, have adopted it, then and then only the amendment shall become part of the Constitution. I do not think that I have slept as long as old Rip Van Winkle did, and therefore I do not believe that the Constitution has been so amended as to relieve the so-called Confederate States from its supreme jurisdiction. I certainly have never heard that Congress, by a two-thirds vote, proposed an amendment restricting the action of the Constitution to the north side of the Susquehanna and Ohio Rivers.

I do not remember that such an amendment to the Constitution was ever submitted to the Legislature of Pennsylvania and adopted by it. If I have slept through so important an era of our history I pray some of you to tell me so. Does any man here know of the Constitution having been so amended as to allow all the States south of Pennsylvania, Ohio, Indiana, Illinois, and Iowa, to pass from under it? If no man here knows it, and if my distinguished antagonist cannot tell us when it happened, I take it for granted that it never happened, and that the Constitution of the United States is still the supreme law of our whole country; and that when James Buchanan and Abraham Lincoln, in the same phraseology, before the same God and people, swore to "preserve, protect, and defend" it, they bound themselves by oath to maintain its supremacy over every acre of our country. Am I wrong? I think not.

I did not agree that I would answer every metaphysical question which my friend might put to me. I agreed to meet him and to discuss the principles and measures of our parties respectively, and apply those principles to the great issues of the day; but I think that if I demonstrate that our party is standing by the Constitution, the unity, and the flag of the country, and that the party which he represents has deliberately assented to the dismemberment of the country, I shall effectually answer all his questions. Each one, however, shall receive attention as the discussion progresses.

In 1832 there was a Democratic Administration presiding over the country. The dream of a Southern empire influenced leading minds of the South at that time. For, gentlemen, this rebellion, the conspiracy which is now attempting to dismember our country and overturn its Constitution, has engaged the attention of two generations. It engrossed the best years of the later life of John C. Calhoun and his compatriots in South Carolina, and some other of the Southern States. In 1832 South Carolina determined to show that the State was "sovereign," and passed an ordinance by which she undertook to nullify and set at naught within her limits a law of Congress known as a Revenue Law. She assembled what she called a "sovereign convention," and that convention passed an ordinance of nullification. Word was brought to the then Democratic President, Andrew Jackson, that the ordinance of nullification had been passed. What did that distinguished Democrat do? Did he send into Congress a message saying that he had no right to coerce a State? Did he send into Congress a message saying that the Constitution of the United States was not ample for its own protection? James Buchanan did thus at a later day, but Andrew Jackson did quite otherwise. He issued a proclamation to the people of the State, reminding them of their duty to the Constitution, holding up before them the greatness of their country and its resources—showing how Heaven had enriched it; pointing them to the magnificent growth of the country under republican institutions; telling them that the people had elected him President, and that on the inauguration day he had sworn to preserve, protect, and defend the Constitution and enforce the laws of the United States, and that that oath should be regarded, the Constitution defended, and the laws enforced.

General Winfield Scott was then thirty-two years younger than he is now; and President Jackson ordered him to the city of Charleston with the army of the United States. He ordered all the forts in front of the city of Charleston to be reinforced, and to be put under armament. He ordered the Secretary of the Navy to disengage all the available vessels, and lay them along the coast, so that, if South Carolina should undertake to put its foot on the Constitution he might blow her "sovereign" brains out! That is what Andrew Jackson did, when the people of South Carolina undertook to show their "sovereignty" by merely trampling on a law. Now they do it by tearing the Constitution into fragments, appropriating our country to their own exclusive use, without even proposing to refund us the money we have expended in its purchase and improvement.

Let us briefly contemplate some of the results of their action.

The Constitution of the United States provides that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." I am a Philadelphian. I was born here; schooled here; I learned my trade here. As I approached manhood I went to Massachusetts. At the end of one year I was, under the Constitution of the United States, a citizen of Massachusetts, and as such took part in the Presidential election. You,

my fellow-citizen, were, perhaps, born in New England, or in a Southern State, and under the Constitution of the United States are a citizen of Pennsylvania, and at the coming election may vote as a citizen. We all have the right, under the Constitution, to become citizens of Maryland or Virginia—ay, even of South Carolina, if it be to our taste.

The Constitution, as we have seen, gives each and every one of us that is a citizen of any State the privileges and immunities of citizenship in Texas, and in every State lying between her and Pennsylvania. Our money and our blood bought three of them; and as you know our money has built fortifications and arsenals and custom-houses and post-offices and marine hospitals, and all other national establishments throughout those States. Will my distinguished competitor, I again ask, tell us when and where and how the Constitution, in accordance with its own provisions, was so modified that we are no longer entitled to citizenship in those States, and that the custom-houses, and forts, and arsenals, &c., that we paid for, belong to a foreign people and government? Is South Carolina part of our country? Abraham Lincoln thinks it is, and so do you. Have you never heard of the healthful qualities of the climate of Florida? You have a sick daughter—a fair girl sinking into the consumption; the disease is developing in her tender system; the doctors order her to a more genial climate. You say that you will take her to Florida, where the temperature seldom varies ten degrees, and where, it is said, the atmosphere is an almost sovereign balm for incipient consumption. It is your right to take her there; and I leave it to my distinguished competitor to show by what clause of the Constitution Jefferson Davis and his armies deny you the exercise of that right.

You, young mechanic, who have no capital but your skill and health—who are tired of labor in the contracted workshop and of life in the compact city, dream of owning a herd of cattle upon a broad prairie. Under the Constitution of the United States and the beneficent legislation of the first “Lincoln Congress” you have a right to go to Texas, or any other State in which there are public lands, and, under the Homestead law, settle on one hundred and twenty acres, if you have a wife, or if you are a single man, on eighty acres of the best land you can find. If you have children, the law gives you one hundred and twenty acres for yourself and wife, and ten for each of your children. That land in Texas or any other State is yours; all you have to do is to go and settle upon it. Ay, say you, “but Jefferson Davis won’t let me!” That is so; and my patriotic competitor says that President Lincoln is violating the Constitution by trying to drive Jeff’s soldiers out of your way, that you may go and “walk in glory behind the plough” on your own broad acres.

Where is the power, my laboring friend, to divest your personal interest in the public lands under the Homestead Law? Where is the power to rob us, American citizens, of the glory our ancestors achieved on Eutaw’s field and Camden’s plain? Where is the power to rob us of the treasure we invested when we acquired Louisiana, Florida, and Texas, and involved ourselves in the Mexican war?

“Ah! but,” says my friend, “this is your doings, you Abolitionists and Republicans.” Let us see how that is. I ask you, my Democratic townsmen, who was President on the eighth of February, 1861, when the Southern Confederacy was organized? Who was President on the twenty-first of December, 1860, when South Carolina seceded? Was not James Buchanan? Had he not for his Cabinet Howell Cobb, of Georgia, and John B. Floyd, of Virginia, and Isaac Toucey, of Connecticut, and Jeremiah S. Black, of Pennsylvania, and Jacob Thompson, of Mississippi, and were not they and their associates all Democrats? Was not what they did the doings of the Democratic party? And did not the party turn out of its ranks every man who did not stand up for and sanction what the Buchanan administration did?

On the 21st of December, 1860, South Carolina passed her ordinance of secession; but she did not do it until James Buchanan, President of the United States, and the acknowledged head of the Democratic party, had announced to the Southern people his belief in their right to secede, and had told every loyal, Union-loving man in the Southern States that, in the event of his State’s seceding, if he dared to hold on to the Union, he must expect no protection from the National Government, but would be handed over to the tender mercies of his State or any confederacy that might be built upon the ruins of our Union; and in order to strengthen this warning, had coupled with his message the opinion of his Attorney-General, Jeremiah S. Black, sustaining it. That message was sent to Congress three months before Abraham Lincoln became President of the United States.

James Buchanan and the Democratic party so understood the Constitution. I do not blame them. I do not blame the Millerite for his faith, though he does not go up at the expected time, but still believes that he will go up some time. I do not blame the Mormon, if he is honest in his faith, though I censure his practices. I do not blame these leaders of the Democratic party for their faith; they honestly believe that the Constitution of the United States is a rope of sand, and that whenever a State wants to go out of the Union, she can. That is their faith; they have a right to it; but I am not willing to let them dissolve the Union to gratify their vagaries. What I complain of is, that while holding to these baleful tenets, they humbug masses of their party by uttering delusive phrases about maintaining and defending the Union and the Constitution. If the leaders of the Northern Democracy had not believed the doctrines announced by Mr. Buchanan, they would have abandoned him and his Administration when he sent in his message of the 4th of December, 1860; but, on

the contrary, those members of the party who dissented from his new-found faith were kicked out—Forney, and others able and brilliant as he, among the number.

Let me demonstrate the truth of my assertion by reading from the message of James Buchanan, communicated to Congress on the 4th of December, 1860 :—

"The question, fairly stated, is : Has the Constitution delegated to Congress the power to coerce into submission a State which is attempting to withdraw, or has actually withdrawn, from the Confederacy ? If answered in the affirmative, it must be on the principle that the power has been conferred upon Congress to declare and make war against a State. After much serious reflection, I have arrived at the conclusion that no such power has been delegated to Congress, or to any other department of the Federal Government. It is manifest, upon an inspection of the Constitution, that this is not among the specific and enumerated powers granted to Congress ; and it is equally apparent that its exercise is not necessary and proper for carrying into execution any one of these powers."

Now, that either was or was not the doctrine of the Democratic party as an organization. Let us test it. Is not James Buchanan in full faith and communion with the Democratic party to-day ? Does he not support the Chicago platform and nominees ? And have not the party expelled from its ranks every man who dissented from the doctrines and measures of Buchanan and his Administration ?

Accompanying that message of James Buchanan was the opinion of Judge Black, his Attorney-General, in which that eminent friend of Pendleton and McClellan said : "If it be true that war cannot be declared, nor a system of general hostilities carried on by the central Government against a State, then it seems to follow that an attempt to do so would be *ipso facto* an expulsion of such State from the Union. Being treated as an alien and an enemy, she would be compelled to act accordingly. And if Congress shall break up the present Union by unconstitutionally putting strife and enmity and armed hostility between different sections of the country, instead of the 'domestic tranquillity' which the Constitution was meant to insure, will not all the States be absolved from their Federal obligations ? Is any portion of the people bound to contribute their money or their blood to carry on a contest like that?"

Now, I say that James Buchanan and Jeremiah S. Black, and the Democratic party of the North, that sustained them, in the promulgation and support of the message and opinion from which I make these extracts, served notice on the Union men of Virginia, and Tennessee, and Missouri, and all the Southern States, to this effect : "If the majority of the people of your respective States want to secede, we will let them ; and if you resist them and try to keep the State in the Union, you do so at your peril, for there is no power in the Constitution to prevent secession, or under which we can or will protect you." My Democratic friends, is not that true ? Did they not thus invite the dismemberment of your country ? Did they not impel and encourage the Southern conspirators to rob you of more than half of your national birthright ?

Is the Constitution the supreme law ? Did Gen. Jackson understand the doctrines of the Democratic party when he said, "The Union must and shall be preserved" ? If he did, Abraham Lincoln is bound to preserve the Union, and every honest Democrat should sustain him in the effort, for every inch of that Union is our country, and over all the Constitution which he has sworn to maintain and defend is the supreme law. The truth is, my fellow-citizens, that since 1847 the Democratic party has abandoned its old faith. I belonged to that party. I grew to manhood in it, and devoted the best years of my life to its interests, and on the very day when I ran as an independent candidate for Judge I voted for William Bigler and the whole Democratic ticket except that for the judiciary. In 1852 I worked and voted for the election of Pierce and King. It was not till I discovered that the doctrine of Calhoun, which Jackson supposed he had crushed/had got control of the party, that I abandoned it and went forth to resist its great power for evil.

I have, however, only shown you what the doctrines of that party were. Now let me show you the practical effects of those doctrines, how, by withholding the support of the Government from the Union people of the South, the Democratic party forced the contemplated separation of our country. When the eight States met to organize a Confederate Government, they represented 2,656,948 white people, and 2,312,046 slaves. The Southern States that did not go with them at that time contained 5,633,005 white people and 1,638,297 slaves. So that of the people, who composed that Confederacy, black and white, bond and free, there were 4,968,994, while of those who then refused to go into it there were 7,271,302. And had James Buchanan and the Democratic party adhered to the old Jacksonian Democratic doctrine, and announced that the Union must be preserved, that the Constitution was the supreme law of the land—had President Buchanan ordered General Scott, old as he was, to concentrate the army in the North, and to reinforce Sumter and all other forts on the Southern coast, and ordered the Secretary of the Navy to concentrate the Navy on our coast—said to the Union men of the South, as Jackson did in his proclamation, stand true to your country, its Constitution and its flag, and we will sustain you, no State would have seceded—no foreign Confederacy would have been reared upon our soil—no war would have deluged it with blood. That was the time to prevent war. This was the way to prevent it. But the new faith of

these new leaders of the party would not permit them to act thus. What did they do? South Carolina, as I have said, seceded on the 21st of December, 1860. When the news was carried to Mr. Buchanan, did he, as old Jackson did, straighten himself up, point to the heavens, and swear by the Eternal that the Union should be preserved? No; take up the files of your Democratic newspapers and read, and you will find that he sat in the executive chamber like an old woman crying. Every day the telegraph brought us intelligence of the new floods of tears that the Democratic president was shedding. He assumed the attitude and aspect of a dejected old woman, and cried: "Oh, dear me! you ought not to do it; but oh, dear me! I have not the power to prevent or to punish you." So the work of the attempt to sever the grandest country God ever gave to man, and to abolish that miracle of modern civilization, the Constitution of the United States, went on.

But more than this, that Democratic Administration, with the sanction of the party that brought it into power and sustains the Chicago platform and nominees, armed the rebels and gave them a navy. John B. Floyd, of Virginia, was Secretary of War, and had charge of our arsenals and our armories. He sent into the seceding States from every Northern arsenal and armory every available gun, pistol, cannon, sword, or set of uniform. Don't you remember, my friends, that the last heavy guns that were being shipped were stopped by the patriotic citizens of Pittsburg, among them the venerable Judge Wilkins—that distinguished Democrat, whose career in the United States Senate still reflects lustre upon our State—that distinguished statesman, now tottering toward the grave, presided over the meetings of citizens that stopped those cannon. They were law-abiding citizens of Pennsylvania, and they telegraphed to the President, saying that they had arrested certain heavy guns, in transitu, because they believed they were being sent to a Confederacy that was being established upon our own soil in violation of our Constitution, and they were determined that those guns should not go for any such purpose. What did Messrs. Buchanan and Floyd, speaking for the Democratic administration, reply? They replied that the guns in question were on their way, under the orders of the Secretary of War, to a new fortification on Ship Island. Now, let me ask whether there is a soldier here who has been to Ship Island? If there is, I wish him to say so, for I want him to make a brief part of my speech. There is no fortification on Ship Island; there was no fortification on Ship Island; there was no contract for a fortification on Ship Island; there had never been an order issued to build a fortification on Ship Island. The story was a lie. It was one of the nefarious practices by which the people of the eighteen States of the North were stripped of arms and the rebels of the South furnished with the means to overawe and intimidate the Union men of the Southern and Border States, and ultimately make war on us.

What did your Secretary of the Navy do—your Democratic Secretary of the Navy? He is a Northern man; he is a son of despised New England—the "land of Abolitionists!"

And here, by the way, I must make a brief digression; I must, as a Pennsylvanian, protest against my friend robbing Pennsylvania of the brightest jewel in her coronet and throwing it at the feet of New England.

The doctrine of man's absolute right to wages for work did not spring from New England; I claim it as a great Pennsylvania truth. While yet the Revolutionary war was pending—on the 1st of March, 1780, three years before the declaration of peace—the Legislature of Pennsylvania passed an act by which slavery was "extinguished and forever abolished" within the limits of the Commonwealth. It was done in grateful recognition of God's goodness in securing the near prospect of speedy freedom to all the people of that State. And in the literature of America, there is no prouder or grander chapter than the preamble to that law which secures to every laboring man, woman, and child within the limits of our own dear Pennsylvania, wages for their work—which secures to all the people of the State the rite of marriage, and raised from their degradation, thousands of women who were compelled to live in prostitution that their wealthy owners might sell their children like sheep at the shambles. To Pennsylvania, our own State, sir, belongs the honor of establishing, by special law, human freedom, and the right of the laboring man to his wages; and I will not, without an earnest protest, allow any man to deprive my ancestors of their share in so great an honor. But to resume: What did your Secretary of the Navy—a son of despised New England—do? Our navy consisted of 69 vessels, manned by 7000 men, exclusive of officers and marines. It carried 250 guns of different calibre. What did your Secretary of the Navy do with them—vessels, men, guns and all? Knowing that a foreign government was organizing within the limits of our country; knowing that John B. Floyd avowed his allegiance to it and had armed it; knowing that he had handed over your army to it as prisoners (for under Twiggs he surrendered one half, and under Canby he compelled the surrender of nearly the other half, so that before Abraham Lincoln became President, the Confederacy had some eight, ten, or twelve thousand prisoners, whom they paroled) what, I ask, under these circumstances, did this Democratic Secretary of the Navy do to maintain the Constitution and unity of our country? Did he send the largest vessels of the navy into the Delaware or the Hudson, or to Charlestown, Mass., or to Kittery and Portsmouth, upon the confines of the two States of Maine and New Hampshire? Oh, no, my fellow citizens: he was in the conspiracy to divide and dishonor your country. He was of the cabinet that agreed to James

Buchanan's message of December, 1860, announcing to the Union men of the South that the government would not protect them. Under his direction, the twenty seven largest vessels of our navy were dismantled or laid up in ordinary in Southern yards, within the limits of the proposed Confederacy. Thus did James Buchanan and his Democratic cabinet, their conduct being approved by the Democratic party, hand over our patrimony and the means of defending it, to avowed conspirators who were forming a foreign government on our soil. But what did the Democratic Secretary of the Navy do with the rest of our vessels? Did he send them into our Northern yards? No; he sent them to the coast of Africa; to the far Pacific; to the Mediterranean; to the Indian ocean; in a word, to the most distant stations to which armed vessels had ever borne the flag of our country; so that, when Abraham Lincoln became President, he had at his immediate command in the yards of the North, but the four smallest vessels of our navy, manned by 250 out of the 7,000 men, and carrying less than 25 out of the more than 250 guns.

The Constitution of the United States is the supreme law of the land; but you must not enforce it, for fear you offend the people of the South! That is the doctrine of the Peace Democracy. The Constitution of the United States is the supreme law of the land; but, but, but, you must not enforce it. If you will only coax the men of the Southern Confederacy abjectly enough, they will come back to the Union without this war! At least we think they will, and we are pretty sure they will, if you will go for the "Union as it was," without New England. General Jackson did not talk that way—he said: "The Constitution is the supreme law of the land; and if you attempt to trample upon it, I will blow you into eternity." Jackson's is the Lincoln doctrine of to-day. We mean to maintain the supremacy of the Constitution; and when the war is over, if it needs amendment, we will do what the Republican party proposed to do before this war began. My friend forgets that, to appease these people whom the Democratic party of the North were hissing on to war—whom the Democratic party were arming and providing with a navy—we united in a resolution to amend the Constitution, so that by no future amendment could slavery ever possibly be interfered with by the people of the North. That proposition passed both houses of Congress, many Republicans in both houses voting for it. It passed the Senate by 24 to 12 and the House by 133 to 65, largely more than the requisite two-thirds vote, and by the generous support of the Republican party. I claim to belong to the Abolition section of the Republican party. I do not believe that any man has so good a right to a babe as the woman who carried it for nine months, and suffered the pangs of maternity in giving it birth. I believe that every man, whether his father under the barbarous laws of the Southern States might sell him on the auction block or not, is entitled to wages for all the work he does. I do not believe that one man has a right to be lord and master, and hold others as his slaves. And I despise the system under which a heartless and sensual aristocracy have been in the habit of selling their daughters into whoredom and their sons to lives of unrequited toil. In so far, I am what they call an abolitionized Republican; and many members of the wing of the party to which I belong, in the hope of securing peace, sustained the proffered amendment, whereby the Constitution would have been peacefully amended, and it would have been made impossible through all time, for the people of the North to free a slave.

My friend's third proposition is that "Whenever any department of Government exercises any power beyond or antagonistic to the Constitution, it is revolution."

This is certainly novel, and rather startling doctrine. It comes from the modern school of Democrats. There used to be great discussions about the Constitution between Henry Clay and Daniel Webster on the one hand, and certain Democrats of the Calhoun school on the other; and in those good old days, the theory was that if Congress or any administration should at any time adopt an unconstitutional measure, the people would rally in their might at the next election and turn out of office those who had made the mistake or perpetrated the wrong; and that in the meantime those who thought the act unconstitutional and were injured by it should raise the question before the Supreme Court of the United States and have it decided. Now sir, what is the Supreme Court of the United States for, and why have we elections recurring at such short intervals if the object be not to guard against any enduring reason for rebellion or revolution? The object in limiting the Presidential term to four years and the Congressional to two was that, if anybody who might get into power should behave badly, we might have an early opportunity to turn him out. The Supreme Court was provided, so that if Congress should pass an unconstitutional law, and the President approve it, that tribunal might declare it unconstitutional and set it aside. So the patriots who framed our Constitution vainly imagined that they had made a frame of Government under which rebellion and revolution would be impossible. Not so, according to the doctrine of my distinguished adversary. He argues that whenever an unconstitutional law is passed, it is revolution, and anarchy follows, and war is the just consequence. If that be correct doctrine, pray what is the use of the Supreme Court? It has no place in his theory of our Government. My friend has put a string of questions to me, and he will allow me to put one to him: According to his theory, what is the use of the Supreme Court of the United States, and why have we provided for elections at intervals, in no case greater than four years? I say that the framers of the Constitution never dreamed that a doctrine such as that announced by him would be propounded by any

party in the country. They gave the people frequent elections, an ample and beneficent judicial system, and provided methods by which the Constitution could be peaceably amended, and supposed that they had made the internal peace of the country enduring as its mountains. The thought of secession, rebellion or revolution never disturbed them. John C. Calhoun, in 1847, introduced it into the Senate of the United States, embodied in certain resolutions, which Col. Benton moved at once to lay on the table. Calhoun looked at him with that calm eye of his, and said: "I am happy to hear from the gentleman; I shall know where to find him." "Yes, sir," replied Old Bullion, "you may always know where to find me. You will always find me on the side of my country. I am glad you know it, sir."

In 1848 the Democratic Convention assembled at Baltimore, and I went there to help make the nominee. I saw Wm. L. Yancey, Calhoun's ablest disciple, arise in that Convention and submit to its consideration Mr. Calhoun's dogma, which had been so promptly tabled at the previous session of the Senate. I saw the question brought to a vote in that grand Democratic Convention, which embraced delegates from every Southern State—South Carolina, Mississippi, Arkansas, Georgia, and all the rest; yet among them all there were but 36 Southern men to vote for the doctrine which my friend propounds as the doctrine of the Democratic party to-day, to wit: that the Constitution of the United States contains the seeds of its own destruction; and that any State that may believe an act to be unconstitutional need not wait till the Supreme Court has passed upon the question, but may go out of the Union, and may rob you of your interests under the Homestead Law, and under the Constitution of the United States, which gives you citizenship in each and every State.

The despised and rejected heresy of 1847-8 is the ruling doctrine of the Democratic party to-day, and when, in the Chicago Convention, they pledge themselves with "unswerving fidelity to the Union *under* the Constitution," they avow to all knowing men just that doctrine. They declare that "in the future, *as in the past*" (mark you, *as in the past*), "we will adhere with unswerving fidelity to the Union under the Constitution, as the only solid foundation of our strength, security, and happiness as a people, and as a framework of government equally conducive to the welfare and prosperity of all the States, both Northern and Southern." Now, we of the Administration party are for the Union unconditionally until this war be terminated; and then, if any man has violated the Constitution, we will take him before the courts of the land, and punish him. But while there is war-making upon us, our great object is to maintain our country; for it is no odds what the Constitution is, if we have no country for the Constitution to operate upon. Therefore, in order to have the benefit of the Constitution, we mean to maintain the integrity of the country, that our posterity, dwelling in that country, shall enjoy the benefit of the Constitution.

I have shown you, fellow citizens, that James Buchanan, and John B. Floyd, and Howell Cobb, and Isaac Toucey, and Jeremiah S. Black talked about "the Union under the Constitution;" they had sworn, all of them, to preserve, protect, and defend the Constitution. I have read you Mr. Buchanan's reasoning as to what are the powers of the government under the Constitution. I have read you his attorney-general's opinion on that subject, and thus shown you that the phrase "the Union under the Constitution" means the Constitution as the Democratic party understand it; that is, with the right of secession in it. Is it not so? Do they mean "the Union under the Constitution," as Webster understood it, as Clay understood it, as Jackson and his cabinet understood it—the Union with vital power in the Constitution to defend the Constitution and maintain the Union? or do they mean "the Union under the Constitution" as it was understood by James Buchanan, and Howell Cobb, and Jeremiah S. Black, and John B. Floyd, and Isaac Toucey, and as it is understood by my competitor here, who has no fault to find with Mr. Buchanan's Administration? If they mean "the Union under the Constitution," as they understood it, why shall they make war now to maintain what they would not make war to keep? Why shall they not give to the rebels what they regard as their territory? Did they not give them arms to defend it? Did they not give them a navy to defend it? Did they not surrender to them the United States army, lest it might be used to deprive them of that territory? Did they not strip you of arms, ammunition, soldiers, and ships? Why will they not, then, adhere in the future to the same policy which they practised in 1860, let the whole thing go, and declare that the Constitution is a rope of sand?

When my distinguished friend shall have answered my questions as to when the Constitution was so amended that its powers were restricted to the territory lying north of Maryland, Virginia, Tennessee, Kentucky, and Missouri, I will proceed to consider the questions he has done me the honor to propound to me.

NO. 2.

*Speech of Hon. Wm. D. Kelley in the
Northrop-Kelley Debate,*

AT SPRING GARDEN INSTITUTE, MONDAY, SEPTEMBER 26.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

Fellow-Citizens.—I hope you will preserve the same good order to-night that characterized your proceedings on Friday night. We are engaged in an important work, in attempting to inaugurate this system of canvassing constituencies, and it depends upon you to determine whether it shall be successful.

My distinguished competitor opened his leading remarks by propounding five propositions, and closed them by submitting seven interrogatories to me. In his closing remarks he seemed to complain that I had not answered all his propositions and interrogatories. In this he was a little unjust. I am here by his invitation, and the invitation which he addressed to me contained no one of those propositions or interrogatories.

It invited me to enable you to judge between us with reference to our principles and their application to the great issues of the day. Had it contained the propositions and interrogatories, I might have filed some cross-interrogatories before we brought the case to an issue. I shall, however, as the debate proceeds, reach all his propositions and questions. For the present, I prefer to follow the line of argument with which I began.

On Friday evening I demonstrated, I trust satisfactorily to you, that the organization now known as the Democratic party has abandoned the faith of its fathers, has adopted the dogma of Calhoun, which was scouted from the Senate by the Democratic party in 1847, and from the Democratic Convention at Baltimore in 1848, and that by abandoning the principles of Jefferson and Jackson, and adopting those of Calhoun and the fire-eaters, it has been led to become co-conspirator in organizing and arming the rebellion with which we are now at war. I proceed now to show that Abraham Lincoln and his friends stand where the fathers of the Democratic party stood; that they stand where Jackson stood—where Douglas stood—where McClellan stood until he consented to glove the mailed hand of war, and pass his time in playing the peaceable game of presidential politics. I mean to show that by this deviation from the great landmarks of the party to which my youth and early manhood were devoted, the leaders have brought themselves to believe and teach the doctrines by which Benedict Arnold defended his treason, the doctrines of the peace men of the war of 1812, and of the men who refused, so far as their voice went, to give sustenance and pay to our soldiers upon the fields of Mexico.

I have shown you that during the administration of Mr. Buchanan a portion of the States of this Union seceded, the Southern Confederacy was formed, the public property in the South was seized by the Confederacy or by separate States, and that the armies under Twiggs and Canby had been surrendered—that under Twiggs voluntarily, that under Canby necessarily, from the fact that the Administration had withheld from it supplies, arms, and transportation.

I now come down to the fourth of March, 1861, when the Government passed out of the hands of the Democratic party, and Abraham Lincoln assumed the helm of the grand old ship of state, known as the United States. I propose to read to you portions of his inaugural address, in order that you may see whether he eagerly accepted this war, or whether he strove, before bringing our armies together or to the frontier of the Confederacy, to win back to peace those who were arrayed against the Government. My distinguished friend said, “let him bring his army to the frontier, and, my word for it, we can have peace.” If he has the word of Jefferson Davis at the back of his, it may have some value; but I shall show you that before Abraham Lincoln called an army into existence to quell the rebellion he prayed its leaders for peace.

“Fellow-citizens,” said Abraham Lincoln in beginning his inaugural, “in compliance with a custom as old as the Government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President before he enters on the execution of his office.

“I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

“Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration, their property and their peace and personal security are

to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed, and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that, 'I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination so to do.' Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations, and had never recanted them. And more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:—

"Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State, to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.'

"I now reiterate these sentiments; and, in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace and security of no section are to be in anywise endangered by the now incoming Administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States, when lawfully demanded, for whatever cause—as cheerfully to one section as to another."

Passing to another portion of this address, for I cannot devote my hour to reading the whole of it, Mr. Lincoln further said:—

"I, therefore, consider that, in view of the Constitution and the laws, the Union is unbroken, and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States. Doing this, I deem to be only a simple duty on my part: and I shall perform it, so far as practicable, unless my rightful masters, the American people, shall withhold the requisite means, or, in some authoritative manner, direct the contrary. I trust this will not be regarded as a menace, but only as the declared purpose of the Union that it will constitutionally defend and maintain itself.

"In doing this there need be no bloodshed or violence; and there shall be none, unless it be forced upon the National authority. The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government, and to collect the duties and imposts; but beyond what may be but necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States, in any interior locality, shall be so great and universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object. While the strict legal right may exist in the Government to enforce the exercise of these offices, the attempt to do so would be so irritating, and so nearly impracticable withal, that I deem it better to forego, for the time, the uses of such offices.

"The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection. The course here indicated will be followed, unless current events and experience shall show a modification or change to be proper, and in every case and exigency my best discretion will be exercised according to circumstances actually existing, and with a view and a hope of a peaceful solution of the national troubles, and the restoration of fraternal sympathies and affections."

I turn to still another brief passage.

"My countrymen, one and all," said the incoming President, "think calmly and well upon this whole subject. Nothing valuable can be lost by taking time. If there be an object to hurry any of you in hot haste to a step which you would never take deliberately, that object will be frustrated by taking time; but no good object can be frustrated by it. Such of you as are now dissatisfied, still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new administration will have no immediate power, if it would, to change either. If it were admitted that you, who are dissatisfied, hold the right side in the dispute, there still is no single good reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land, are still competent to adjust in the best way all our present difficulty.

"In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in Heaven to destroy the Government, while I shall have the most solemn one to 'preserve, protect, and defend it.'"

Before he had called for a soldier, before he had the power to give an order with reference to a national vessel, did Abraham Lincoln, in the presence of the American people, and of the God of our beloved country, thus appeal to the people of the South to take time and let the

"sober second thought," which used to be a Democratic doctrine, control them. What was the result? James Buchanan had announced to the loyal people of the South that if they dared attempt to resist the secession of their respective States, he could not, and would not, aid them or take sides with them. His administration had armed the Southern army. The Confederacy had been organized, had been officered, had received its army and navy from that Administration; and its soldiers carried on their shoulders our muskets with which to put us to death, if we should attempt to maintain the unity of the country, its constitution and its flag. Yet Abraham Lincoln organized no war. The fourth of March passed, and the fifth, and each successive day of that month, and April began, and eleven days of that month had passed when you were shocked as I was (and I care not whether you be my partisans or those of my friend), when you felt that you had rather die than that the insult which had been put upon the flag of your country should not be wiped out in blood; when from fortifications constructed around Fort Sumter with James Buchanan's deliberate consent (for his Secretary of War could have ordered the commander of Fort Sumter to destroy the working parties attempting to construct those works) from fortifications constructed, I say, by the consent of James Buchanan and the Democratic party, Fort Sumter and the flag of your country were fired upon, and a thousand hands and hearts engaged in the bloody work of storming seventy United States soldiers who defended the flag of the United States over a United States fort; and when fire had driven those poor men from the stronghold that your money had built, those brutal rebels fired upon them at the water's edge. The country sprang to arms and cried for an avenging war; and Abraham Lincoln, who had said to those people that the issue of civil war was with them and not with him, responded to the country's call, and appealed to the people for 75,000 men. They came at his call; they swelled to a hundred, to two hundred, and to three hundred thousand; and he brought them to the frontier of the Confederacy. He held them on the north bank of the Potomac and on the north bank of the Ohio, until you and I grew impatient. He would not invade Virginia. He still hoped that reason and patriotism would bring the rebels back. But when they began to construct works from which they could shell the capital of your country, as they had shelled Fort Sumter, he sent troops into Alexandria and along the northern borders of Virginia; and again you thrilled, I care not what your party may have been, when you heard that young Ellsworth had died for taking down the rebel flag from above a house within sight of the District of Columbia.

This war is the rebels' war. The war maintained by the President is for our country and our posterity. It was begun by the rebels; and it is maintained by the patriotic people of the country for the purpose of crushing rebellion and establishing the Constitution and the code of laws belonging to us, in their supremacy, from the Atlantic to the Pacific and from the northeastern point of Maine to the southern point of Texas.

I have said that the Democratic party, misled by the doctrines of John C. Calhoun, have been forced to occupy the position of Benedict Arnold. From that position they are spitting envenomed spite on the tomb of Andrew Jackson, and kicking the green turf from the new-made grave of Stephen A. Douglas. These things I shall prove to you before we part to-night.

What are their complaints? Let me cite them in substance from one of their most distinguished orators and statesmen. I take them as they are made, point by point, in a speech by Horatio Seymour:—

1. "The freedom of speech and of the press has been denied us."
2. "It is your property, the property of Northern tax-payers, which is confiscated."
3. "Men have been torn from their families and locked up in prison, and women too."
4. "Men are told that they must leave their homes and devote themselves to war."
5. "The policy of the Administration has placed hindrances in the way of the Union."
6. "The Administration has entered upon a settled policy, dangerous to the welfare of the country."
7. "In God's name, are there no means by which we can save the lives of husbands and brothers?"
8. "We have nominated McClellan that we might restore prosperity and peace to the people."

Now let me read a proclamation written by Benedict Arnold, after he had deserted the flag of our country and gone over to Great Britain. You will find that he makes each one of these points, just as though he had handed them to Horatio when the latter was ascending the platform to make his speech. On the 20th of October, 1780 (just about the time when Pennsylvania was abolishing slavery), Benedict Arnold issued the following proclamation to the citizens and soldiers of the United States:—

"You are promised liberty by the leaders of your affairs. But is there an individual in the enjoyment of it save your oppressors? Who among you dares to speak or write what he thinks against the tyranny which has robbed you of your property, imprisoned your sons, drags you to the field of battle, and is daily deluging your country with blood!"

Does not this sound amazingly like a modern Democratic speech? But let me proceed.

"Your country once was happy, and had the proffered peace been embraced, the last two years of misery had been spent in peace and plenty and repairing the desolation of the quarrel

that would have set the interests of Great Britain and America in a true light, and cemented their friendship. I wish to lead a chosen band of Americans to the attainment of peace, liberty and safety—the first object in taking the field!"

"You have changed the purpose of the war," says the modern Democrat; "it is no longer for the Union; it is for something else." Just so Benedict Arnold, to cover up his treason, said that we were no longer fighting the Revolutionary war for peace, liberty and safety.

"What is America," continues Arnold, "but a land of widows and orphans and beggars? But what need of argument to such as feel infinitely more misery than tongue can express? I give my promise of most affectionate welcome to all who are disposed to join me in measures necessary to close the scenes of our affliction, which must increase until we are satisfied with the liberality of the mother country, which still offers us protection, and exemption from all taxes but such as we think fit to impose upon ourselves."

This is not, I assure you, much as it sounds like it, a modern Democratic speech; it is a proclamation of Benedict Arnold, published in October, 1780.

Now let me turn to the grave of Andrew Jackson. I was a Jackson boy, and I remember how, in my earliest childhood, I wept, when running back into my mother's entry, after the newspaper that had been thrown over my head by the carrier, I picked it up and found the hickory-tree at the head of its leading column turned upside-down, and black lines between the columns of the paper, and read that a coalition had defeated the election of my idol Andrew Jackson. That was in 1824. I never ceased to be a Jacksonian Democrat. I am such to-night; and from the time the leaders of the Democratic party accepted the doctrines of Calhoun and made war upon the memory and principles of Jackson, I swore that I would fight them in honor of his name and for the safety of my country. I go now to the grave of Jackson to pluck a flowret from the chaplet which history weaves around his brow, and which will never fade.

"You have suspended the *habeas corpus*," says my friend and antagonist, "and how can I bring suit when you have suspended the *habeas corpus*?" Andrew Jackson suspended the *habeas corpus*, and imprisoned the judge that issued it! And for that act, more than for any other in his life, the Democratic party made him President. These gentlemen who call President Lincoln in one breath a "tyrant," and in another a "baboon"—and who denounce their own candidate for the Presidency when they speak of "Lincoln's hirelings and dogs"—also murmur about the freedom of the press. Let me presently read you a little from *Parton's Life of Jackson*.

It was a question in New Orleans whether peace had been concluded between England and America. In that day there were no telegraphs or railroads. Jackson had just beaten the British army, and there came rumors by ships that arrived at Mobile that a treaty of peace had been signed. Jackson still maintained martial law in New Orleans, and the people who did not like the war resisted. You know how people of foreign birth have during this war been encouraged by democratic orators to go to the consular representative of their native land and claim exemption from military service. That game was practised in New Orleans while it was under the military rule of Jackson. The French residents were stimulated to apply to their consul for protection against his military authority. Some of the people demanded that, because there were rumors of peace, Jackson should relieve the city from martial law. Let us see what he did.

Mr. Parton says: "Mr. Livingston returned to New Orleans with the news of peace on the 19th of February. The city was thrown into joyful excitement, and the troops expected an immediate release from their arduous toils. But they were doomed to disappointment. The package which Admiral Malcolm had received contained only a newspaper announcement of peace. There was little doubt of its truth, but the statements of a newspaper are as nothing to the commanders of fleets and armies. To check the rising tide of feeling, Jackson, in the very day of Livingston's return, issued a proclamation, stating the exact nature of the intelligence, and exhorting the troops to bear with patience the toils of the campaign a little longer. 'We must not,' said he, 'be thrown into false security by hopes that may be delusive. It is by holding out such, that an artful and insidious enemy too often seeks to accomplish what the utmost exertions of his strength will not enable him to effect. To place you off your guard and attack you by surprise, is the natural expedient of one who, having experienced the superiority of your arms, still hopes to overcome you by stratagem.' 'Though young in the trade of war, it is not by such artifice that he will deceive us.' Jackson would not have liked an armistice, I suppose!"

"This proclamation seems rather to have inflamed than allayed the general discontent. Two days after the return of Livingston, a paragraph appeared in the *Louisiana Gazette*, to the effect that a 'flag had just arrived from Admiral Cochrane to General Jackson, officially announcing the conclusion of peace at Ghent, between the United States and Great Britain, and virtually requesting a suspension of arms.' For this statement there was not the least foundation in truth, and its effect at such a crisis was to inflame the prevailing excitement. Upon reading the paragraph, Jackson caused to be prepared an official contradiction, which he sent by an aid-de-camp to the offending editor, with a written order requiring its insertion in the next issue of the paper."

There was a terrible hullabaloo raised by the Democrats of Philadelphia when Gen. Schenck made the proprietors of the *Evening Journal* do just what Gen. Jackson made the editor of the *Louisiana Gazette* do—publish a little bulletin announcing that what he had said the day before was not true.

"This was regarded by the discontented spirits as a new provocation. The "muzzled" editor, in the same number of his paper, relieved his mind by the following comments upon the General's orders: "On Tuesday we published a small handbill containing such information as we had conceived correct, respecting the signing of preliminaries of peace between the American and British Commissioners at Ghent. We have since been informed from Headquarters that the information therein contained is incorrect, and we have been ordered to publish the following to do away the evil that might arise from our imprudence.

"Every man may read for himself, and *think* for himself (thank God! our thoughts are as yet unshackled!) but as we have been officially informed that New Orleans is a camp, our readers must not expect us to take the liberty of expressing our opinion as we might in a *free city*. We cannot submit to have a *censor of the press* in our office, and as we are *ordered* not to publish any remarks without authority, we shall submit to be silent until we can speak with safety—except making our paper a sheet of shreds and patches—a mere advertiser for our mercantile friends."

"Pretty loud growling," says the writer, "to come from a muzzled editor." Why, it is not like a faint echo of the growls that you find in our "muzzled" papers. Take the New York *Daily News*, the organ of "Phernandiwud," and see whether this is a whisper in comparison with the growls of that paper or the *World*.

"In this posture of affairs," continues Mr. Parton, "some of the French troops hit upon an expedient to escape the domination of the general. They claimed the protection of the French consul, M. Toussaud; the consul, nothing loth, hoisted the French flag over the consulate and dispensed certificates of French citizenship to all applicants."

Just as a good many consuls during our present war have dispensed certificates of foreign citizenship to men who have been voting among us for years, and are used to hearing modern Democratic speeches inspired by Benedict Arnold's proclamation.

"Naturalized Frenchmen availed themselves of the same artifice, and, for a few days, Tous sand had his hands full of pleasant and profitable occupation. Jackson met this new difficulty by ordering the consul and all Frenchmen, who were not citizens of the United States, to leave New Orleans within three days, and not to return within one hundred and twenty miles of the city until the news of the ratification of the treaty of peace was officially published."

He was not going to have a nest of traitors, spies, and dealers in contraband merchandise and intelligence at his heels claiming foreign protection, and he ordered them out of his lines and prohibited them from coming back. But let Parton tell the story: "The register of votes of the last election was resorted to for the purpose of ascertaining who were citizens and who were not. Every man who had voted was claimed by the General as his 'fellow-citizen and soldier,' and compelled to do duty as such.

"This bold stroke of authority aroused much indignation among the anti-martial law party, which, on the 3d of March, found voice in the public press. A long article appeared anonymously in one of the newspapers boldly, but temperately, and respectfully calling in question General Jackson's recent conduct, and especially the banishment of the French from the city. Here was open defiance. Jackson accepted the issue with a promptness all his own. He sent an order to the editor of the *Louisiana Courier*, in which the article appeared, commanding his immediate presence at headquarters. The name of the author of the communication was demanded and given. It was Mr. Louaillier, a member of the Legislature."

"At noon on Sunday the 5th of March, two days after the publication of the article, Mr. Louaillier was walking along the levee, opposite one of the most frequented coffee-houses in the city, when a Captain Amelung, commanding a file of soldiers, tapped him on the shoulder and informed him that he was a prisoner. Louaillier, astonished and indignant, called the bystanders to witness that he was conveyed away against his will by armed men. A lawyer, P. L. Morel by name, who witnessed the arrest from the steps of the coffee-house, ran to the spot, and was forthwith engaged by Louaillier to act as his legal adviser in this extremity. Louaillier was placed in confinement. Morel hastened to the residence of Judge Dominick A. Hall, Judge of the District Court of the United States, to whom he presented, in his client's name, a petition for a writ of *habeas corpus*. The Judge granted the petition, and the writ was immediately served upon the General. Jackson instantly sent a file of troops to arrest the judge, and before night, Judge Hall and Mr. Louaillier were prisoners in the same apartment of the barracks."

This was the same Andrew Jackson for whom the Democrats have all shouted. It is the same Andrew Jackson whose name to-day is attempted to be used as a shibboleth by men who are insulting and spitting upon his memory, and denouncing him as a tyrant and usurper.

"So far from obeying the writ of *habeas corpus*, General Jackson seized the writ from the officer who served it, and retained it in his own possession, giving to the officer a certified copy of the same. Louaillier was at once placed upon his trial before a court-martial."

"Finally peace came, and it found Louaillier and the Judge still in prison. General Jackson then caused to be issued the following order:—

'HEADQUARTERS SEVENTH MILITARY DISTRICT, NEW ORLEANS, March 11th, 1815.—Sir: You will detail from your troop a discreet non-commissioned officer and four men, and direct them to call on the officer commanding the 3d United States Infantry for Dominick A. Hall, who is confined in the guard-house for exciting mutiny and desertion within the encampment of the city.

'Upon receipt of the prisoner, the non-commissioned officer will conduct him up the coast beyond the lines of Gen. Carroll's encampment, and deliver him the inclosed order and set him at liberty.

THOMAS BUTLER, *Aid-de-camp.*

'Capt. PETER Y. OGDEN,

'Commanding troop of cavalry, New Orleans.'

"Inclosed with this order was a laconic epistle from the General to Judge Hall: 'I have thought proper,' said the General, 'to send you beyond the limits of my encampment, to prevent a repetition of the improper conduct with which you have been charged. You will remain without the lines of my sentinels until the ratification of peace is regularly announced, or until the British shall have left the Southern coast.'

My honest Democratic friend, what do you say of your leaders who conceal facts of this kind from you, and are trying to tempt you to make war on your country, because the Government has done what every patriot honors Jackson for doing, what every general that has ever commanded a great army has done, and what the Constitution of the United States expressly authorizes to be done when the emergency invites it.

Let us now look a little further; for this matter does not end here. This act made Andrew Jackson President. Vindicating its Constitutionality would have made Stephen A. Douglas President; but the Southern rebels knew his devotion to the Union, and ran Breckinridge and Lane for the purpose of preventing his election. I shall show you presently how magnificently Douglas, on the floor of Congress, defended the action of Jackson at New Orleans. On the 22d of March peace had been proclaimed, and Judge Hall, having returned to his district, sat again in his court; and again I refer to Parton for an account of what took place.

"On motion of Attorney John Dick, it was ruled and ordered by the court that the said Major-General Andrew Jackson show cause, on Friday next, the 24th March instant, at ten o'clock A. M., why attachment should not be awarded against him for contempt of this court, in having disrespectfully wrested from the clerk aforesaid an original order of the honorable the judge of this court, for the issuing of a writ of *habeas corpus* in the case of a certain Louis Louaillier, then imprisoned by the said Major-General Andrew Jackson, and for detaining the same: also for disregarding the said writ of *habeas corpus*, when issued and served; in having imprisoned the honorable the judge of this court; and for other contempts as stated by the witnesses."

General Jackson had ceased to command an army; the country was at peace; and he did what Mr. Lincoln and his "hirelings," even down to McClellan, will do when the war is over: he respected the civil law. He walked into the court room as the summons was served. The scene is thus described:—

"General Jackson appeared in court attended by a prodigious concourse of excited people. He wore the dress of a private citizen. 'Undiscovered amidst the crowd,' Major Eaton relates, 'he had nearly reached the bar, when being perceived, the room instantly rang with the shouts of a thousand voices. Raising himself on a bench, and moving his hand to procure silence, a pause ensued. He then addressed himself to the crowd; told them of the duty due to the public authorities; for that any impropriety of theirs would be imputed to him, and urged, if they had any regard for him, that they would, on the present occasion, forbear those feelings and expressions of opinion. Silence being restored, the judge rose from his seat, and remarking that it was impossible, nor safe, to transact business at such a moment, and under such threatening circumstances, directed the Marshal to adjourn the court. The General immediately interfered, and requested that it might not be done. 'There is no danger here; there shall be none—the same arm that protected from outrage this city, against the invaders of the country, will shield and protect this court, or perish in the effort.'

And I say for Abraham Lincoln that his brave heart and wise head now engaged in preserving our country will, when the war is over (as it will be in a few months, if Phil. Sheridan, and Grant, and Sherman go on as they have done lately), preserve and defend the liberties of each and every citizen.

"Tranquillity was restored, and the court proceeded to business. The district attorney had prepared, and now presented, a file of nineteen questions to be answered by the prisoner.

"Did you not arrest Louaillier?" 'Did you not arrest the judge of this court?' 'Did you not seize the writ of *habeas corpus*?' 'Did you not say a variety of disrespectful things of the judge?' These nineteen interrogatories the General utterly refused to answer, to listen to, or to receive. He told the court that in a paper previously presented by his counsel he had explained fully the reasons that had influenced his conduct. That paper had been rejected without a hearing. He could add nothing to that paper. 'Under these circumstances,' said he, 'I

appear before you to receive the sentence of the court, having nothing further in my defence to offer.'

"Whereupon, Judge Hall pronounced the judgment of the court. It is recorded in the words following: 'On this day appeared in person Major-General Andrew Jackson, and being duly informed by the court that an attachment had issued against him for the purpose of bringing him into court, and the district attorney having filed interrogatories, the court informed General Jackson that they would be tendered to him for the purpose of answering thereto. The said General Jackson refused to receive them, or to make any answer to the said interrogatories. Whereupon the court proceeded to pronounce judgment, which was that Major-General Jackson do pay a fine of one thousand dollars to the United States.'

"Upon reaching his quarters, Jackson sent back an aid-de-camp to the court-room, with a check on one of the city banks for a thousand dollars; and thus the offended majesty of the law was supposed to be avenged."

It does, in spite of all the suggestions of my competitor, seem that courts are of some use, even in countries where the *habeas corpus* may be suspended in order to maintain the military power. While war continued, the military power was maintained. When the war ceased, the most popular and successful general of the war walked into court a prisoner, in the custody of the Deputy Marshal of the District. And while this war continues, with armed rebellion in the South, and hundreds of thousands of men in the North are aiding the rebels by discouraging enlistments, destroying confidence in the Government, and by every means in their power embarrassing military movements, the *habeas corpus* must at times be suspended, to maintain the Constitution, which provides for its suspension in just such times.

Now, my friends, begging the Democratic party no longer to desecrate the grave and memory of Jackson, imploring its leaders to take their vile tongues off the fame of that great chieftain of our country and of their party, I pass to the new-made grave of Stephen A. Douglas.

In 1844, Charles J. Ingersoll, a Democratic representative in Congress from the city of Philadelphia, whose kinsmen and descendants still live among us, introduced a bill to refund the amount of that fine to Gen. Jackson. It had been paid in 1815; and during the first session of the Twenty-eighth Congress, in January, 1844, Mr. Ingersoll, wishing to vindicate the Constitution and the people of the United States from the wrong that had been done them by Judge Hall, introduced a bill to refund the amount of that fine to Andrew Jackson. Among the ablest advocates of the bill was Stephen A. Douglas; and on January 6, 1844, he made a speech, from which I am about to read you some extracts. He said:—

"He was not one to admit that General Jackson violated the Constitution, or the law, at New Orleans. He denied that he violated either. He insisted that the General rightfully performed every act that his duty required, and that his right to declare martial law and enforce it resulted from the same source, and rested on the same principle, that the gentleman from New York (Mr. Barnard) asserted, from which Judge Hall derived the authority to punish for contempt without trial, without witnesses, without jury, and without anything but his own arbitrary will. The gentleman asserted that the power to punish for contempt was not conferred by the statute, or by the common law, but was inherent in every judicial tribunal and legislative body; and he cited the authority of the Supreme Court to support the assertion. He said that this power was necessary to the courts, to enable them to perform the duties which the laws intrusted to them, and arose from the necessity of the case."

The modern peace men, who stand on Arnold's premises, tell you that there is no such thing as "necessity"—"military necessity." Now, here you have Judge Douglas arguing that the judge on the bench must issue the writ to punish for contempt, because the power to do so springs from necessity; otherwise he could not execute many of his orders. Mr. Douglas continues:—

"It was from the same source that the power to declare martial law was derived—its necessity in time of war for the defence of the country."

Douglas believed in "military necessity;" so does every Democrat that has not yielded to Calhoun and become the pliant tool of the Southern rebels. Mrs. Nickleby said that Smike was "the most biddablest creature in the world," and after the Democratic party yielded to the dictation of the Southern slave-drivers, it became just about as biddable a creature as Smike: it did whatever the Southern Nicklebys told it to do. And thus it has taken to denouncing all the doctrines held by the great founders and leaders of the party. Douglas's whole argument was to show the constitutionality of Jackson's conduct under the plea of military necessity. He continued:—

"The defence of the lives and liberties of the people, as well as their property, being all intrusted to the discretion of the commanding general, it became his duty to declare martial law, if the necessity of the case required it. If it became necessary to blow up a fort, he was authorized to do it; if it became necessary to sink a vessel, he was authorized to do it. The necessity of the case was the law to govern him; and he, on his responsibility, must judge of the existence of that necessity. It was the first law of nature which authorized a man to defend his own person, and his wife and his children, at all hazards."

In conclusion, let me ask if I have not shown that the Democratic peace party of to-day are on the grounds of Arnold, and vindicated, however humbly, the memories of Jackson and

Douglas against the aspersions cast upon them by the so-called but false Democratic leaders of our country.

[Mr. Northrop followed in a speech of one hour and a half.]

Judge Kelley was then again introduced and said:—

A word or two, that there may be no misunderstanding. I say to my friend that I mean to answer all his propositions and all his questions; but he will pardon me if I charge him with a little want of candor, not intentional, but casual. I hold in my hand his challenge, and it reads thus:—

"You and I have been nominated, by the respective political parties to which we belong, as candidates for Congress in the Fourth District of Pennsylvania. Of course we ask the support of the voters of the District on account of the principles which we severally represent.

"In order, therefore, that the people of the District may judge between us in this respect, I propose to you that the citizens of both political parties should be called together, and that we should together address them."

His seven questions I never heard until he had addressed you; and it would have been but frank, if he expected to bind me to them, that he should have given me some intimation of them, and he has no right to harp upon the fact that I do not do what I never agreed to do.

But, my friends, I am now but laying the broad foundations of my side of this discussion. He will find that I will answer all his questions before he has done with me. Small credit I get from him, however, for doing it; for he told you that I had noticed but two of his propositions, and when I, as courteously as I could, suggested that I had dissented from the third, he said he had not heard me. Yet here in the *Bulletin*, as the gentlemen of the press have reported me, I find that I took it up and filled nearly a column in commenting upon it. Allow me to request that he will at least do me the honor to listen to what I may hereafter say in reply to him.

And now, my friends, see "how plain a tale shall put him down." Instead of dwelling upon the infamy of the war commenced and continued by the South, which has filled our cities with widows and with orphans, which has maimed I know not how many of you, as well as hundreds and thousands all over the land—which has fattened the soil of the country with the blood of American citizens, he turns and scolds like a very drab at New England, and tells you that Governor Andrew, before he would furnish the quota of Massachusetts, made stipulations. The rebels, for whom the gentleman has no unkind word, fired on Sumter on the 12th of April; on the 15th, your President called for troops; and on the 18th the men of Massachusetts, from two hundred and fifty miles beyond here, marched through our city, taking hasty refreshment at the Girard House, and on the morning of the next day some of them were assassinated in the streets of Baltimore. But three days from the date of the President's proclamation, a regiment, gathered from the plains of Lexington, went through our streets, loyal men cheering them on, to die in Baltimore on behalf of our flag.

The gentleman says that Judge Douglas died too soon to make a record on this question. Judge Douglas lived long enough to pledge his support to the present Administration, and to announce that in a great war like this "there is room for but two parties—patriots and traitors." So he made his record and then died. He does Judge Douglas injustice who says that he died making no sign in the hour of his country's agony.

My friend says that "Banks still retains a foothold in Louisiana." That is lucky; he might have been driven to a gunboat. I have not heard that he has; nor have I heard that he has even called for the Galena to be sent to that quarter of the country. Yes, he retains a foothold; and over that foothold, the proud Queen City of the Gulf, float the Stars and Stripes, one of those stars representing Pennsylvania and six of them representing despised New England.

Now, what answer has the gentleman made to my quotation from Mr. Buchanan's message, which was an official document—to my quotation from Attorney-General Black's opinion, which was sent in with that message, and to the fact that the Democratic party planted themselves so firmly upon the doctrines of that message and that opinion that they ostracized any man who dissented from the views therein expressed? What answer has the gentleman made? Why, that New England has been making mouths at the South ever since the government was organized, and that a lot of what he is pleased to denounce as fanatical preachers have said all sorts of queer and foolish things! The gentleman has not pointed you to an instance in which a New England State has organized an army to resist the Government. He has not pointed you to a single instance in which any New England State has built fortifications around any of the forts that protect their harbors, from which to assail them. He has not pointed you to an instance in which a New England State has fired upon your flag; and, oh God! is it not a shame that he should have forgotten that on every field on which Pennsylvania soldier fighting in behalf of the country, has been wounded or killed, his blood has mingled with that of the brave sons of New England, who rushed promptly, as I have reminded you, to the defence of his country, the whole country, its constitution, and its flag the proudest of the world. He can plagiarize from Fernando Wood's speech what New England men are said to have said, but I can mention a fact which is probably not within the gentleman's knowledge, that when Mr. Wood sent to the clerk's desk in the House of Representatives the

pamphlet from which are taken those alleged extracts from Phillips and Garrison and others, the clerk, in reading, came upon pretended citations of the language of members of the House then present, each of whom in turn arose in his seat and denounced the quotations attributed to him as fabrications, and challenged the man who was having them read to show when or where the language imputed to him had been uttered. Rufus Spalding, of Ohio, whom the gentleman professed to quote, was specially severe on Mr. Wood for having an oft-refuted lie republished. And Mr. Wood uttered apologetic words on the floor of the House. Yet he seems to have permitted the alleged quotation to go out in his printed speech.

Mr. Northrop.—I never saw that speech.

Judge Kelley.—You happened to hit upon the same quotations that Fernando made.

Mr. Northrop.—That may be.

Judge Kelley.—And they were thus denounced one after another.

My friend says that Arnold was a New Englander; and I told you the other night that Isaac Toucey, who handed over the better part of your navy to the rebels, was a New Englander. So I put the one against the other. They each tried with all their ability to use the powers conferred upon them by the Government, to break it up. I am not here to advocate New England; but do not let us forget that she is fighting shoulder to shoulder with us to maintain that magnificent patrimony of ours which lies between the Potomac and the Gulf—the Atlantic and the western line of Missouri and Arkansas—that she is fighting to transmit to our posterity even distant Texas; and let us have no more side-winded compliments for Preston S. Brooks, or any other supporter of James Buchanan, Jefferson Davis, and George B. McClellan, at her expense.

He tells you that Judge Douglas excused the suspension of the *habeas corpus* by Jackson under the special circumstances and under a necessity which then existed. In the extracts which I read to you to-night, Judge Douglas said, "The general alone must be the judge of the necessity." I shall not read you that passage again; but I refer to another portion of the same speech, in which the ground taken by Judge Douglas is still more elaborately and forcibly stated.

"He cared not whether General Jackson suspended all civil authority or not. If his acts were necessary to the defence of the country, that necessity was above all law. General Jackson hazarded everything; he hazarded both life and reputation on that step, which might render him immortal if he saved the country, or on the contrary, make him ignominious, and a by-word, and a reproach; and the man that dared to do that deserved the protection and plaudits of his country. He did not envy the feelings of that man, that would get up and talk calmly and coolly, under such circumstances, about rules of court and technicalities of proceeding and the danger of example, when the city might be in flames and the utmost barbarity might be committed. What were rules of court but mere cobwebs when they found an enemy with his cannon at the doors of their courts, and they saw the flames encircling the cupola? Talk them about rules of courts, and the formality of proceedings! The man that would do this would fiddle while the Capitol was burning. He envied not any man the possession of such stoical philosophy. Talk about illegality! Talk about formalities! Why, there was one formality to be observed, and that was the formality of directing the cannon, and destroying the enemy, regardless of the means, whether it be by the seizure of cannon-bags, or the seizure of persons, if the necessity of the case required it. The God of nature had conferred this right on men and nations; and therefore let him not be told that it was unconstitutional. To defend the country, let him not be told that it was unconstitutional to use the necessary means. The Constitution was adopted for the protection of the country; and under that Constitution, the nation had the right to exercise all the powers that were necessary for the protection of the country. If martial law was necessary to the salvation of the country, martial law was legal for that purpose. If it was necessary for a judge, for the preservation of order, to punish for contempt, he thought it was necessary for a general to exercise a control over his cannon, to imprison traitors, and to arrest spies, and to intercept communication with the enemy. If this was necessary, all this was legal."

Thus it is seen that Judge Douglas did not simply excuse the specific act of General Jackson, but made an argument that will even vindicate Gen. McClellan's high-handed acts while a military commander.

My friend asks whether Mr. Seward, when the war is over, will walk into court, and submit to the process of the law. Why, certainly; every man who has been serving his country will do so, and I have no doubt that if any of the Maryland secessionists whom General McClellan imprisoned under a suspension of the *habeas corpus* should sue him, he will go into court and meet the responsibility; because he has read the doctrines of Mr. Douglas, and he knows what Gen. Jackson did under similar circumstances, and how the nation honored him for it.

My friend probably does not know that General McClellan was the first to indulge in what the leaders of the McClellan party are pleased to call "interference with elections." Poor Little Mac must feel very badly when assailed in this way at his own meetings. General McClellan became the Commander of the Army of the Potomac on the 26th of July, 1861. He did not become the Commander-in-Chief of the Armies of the United States until the first

of November. On October 29th, when he had been about three months in office as Commander of the Army of the Potomac, he issued the following order :—

HEADQUARTERS ARMY OF THE POTOMAC, WASHINGTON, October 29, 1861.—*General*: There is an apprehension among Union citizens in many parts of Maryland of an attempt at interference with their rights of suffrage by disunion citizens on the occasion of the election to take place on the 6th of November next.

In order to prevent this the Major-General commanding directs that you send detachments of a sufficient number of men to the different points in your vicinity where the elections are to be held, to protect the Union voters, and to see that no disunionists are allowed to intimidate them, or in any way to interfere with their rights.

He also desires you to arrest and hold in confinement till after the election all disunionists who are known to have returned from Virginia recently, and who show themselves at the polls, and to guard effectually against any invasion of the peace and order of the election. For the purpose of carrying out these instructions you are authorized to suspend the *habeas corpus*. General Stone has received similar instructions to these. You will please confer with him as to the particular points that each shall take control of.

I am, sir, very respectfully, your obedient servant,

R. B. MARCY, Chief of Staff.

Major-Gen. N. P. BANKS, Commanding Division, Muddy Branch, Md.

These Marylanders were to be arrested if they merely showed themselves at the polls; it was not that they should be armed; they need not try to vote; they were not to be arrested if they made a disturbance or committed a breach of the peace; but any man who was obnoxious to George B. McClellan's views, and who showed himself at the polls, was to be arrested and imprisoned, and the *habeas corpus* was to be suspended for that purpose. Yet my competitor, who denounces such conduct as illegal, unconstitutional, tyrannical, &c. &c., when he is on an electioneering trip, attempts to persuade men that it is their duty to vote for George B. McClellan, because—of something or another, I do not know exactly what. But I will venture my life, that after the war is over, General McClellan will respond to any of the people who, for showing themselves perhaps on their own steps in the neighborhood of an election poll, were cast into prison under his order and suspension of the *habeas corpus*. He will step freely into court to answer them, not because he is fond of going into danger, but because he knows that the American people will say that his act was done in pursuance of a general's discretion, at a time when there was great danger, and that that will be his vindication. And my friend here would walk into court, with or without a fee, and would show any court in America that such orders were constitutional, were sanctioned by the express terms of the Constitution, were legal, were based on a continued line of Democratic precedents, and that when he and other Democratic orators had been denouncing them before the meetings of the party, they only did it in a Pickwickian sense, and did not mean anything by it.

They either believe these acts to be unconstitutional, tyrannical and oppressive, or they do not. George B. McClellan either stands on that record, or he disavows it, and I ask my friend how the fact is? There is his order, not as Commander-in-chief of the Army and Navy of the United States—not as Commander-in-chief of the Army, but as Commander of the Army of the Potomac—ordering that people who may simply show themselves at the polls, shall be arrested, incarcerated, and denied the writ of *habeas corpus*. If you can show any act parallel to that in the conduct of Abraham Lincoln, I will say that there is a drawn-game between us. You will not find among all the acts of the President any one so recklessly arbitrary as this.

What do you see exhibited in the country at this time? A large portion of the party that stood by James Buchanan and his administration, and saw our forts surrounded with fortifications, manned with heavy guns stolen from the government—saw our arsenals denuded of arms, which were given to the rebels—the party who, speaking through the President's message and the Attorney General's opinion of December, 1860, notified the loyal men of the South that if they stood up for the Union they would do so at their own peril, for the government would not protect them—I say that a large part of that party which stood by that administration, and sanctioned and approved its doings, belong to a sworn association under the head of a military commander, and have hundreds of thousands of arms to drive voters away from the polls at the coming election. This is a broad and bold charge, but it is not made without full warrant. Lieutenant-Colonel John H. Gardner, of the Invalid Corps, who is well known to many of you, and who was in command at Indianapolis, and to whom was confided the order to search the premises of Dodd, the commander of the "Sons of Liberty," in Indiana, to whose premises boxes of arms had just gone, sent me a copy of the "Constitution and Laws of the S. G. C." I do not know exactly what those letters mean; but this copy was found along with hundreds of others in the rooms of Dodd, the chief commander. Section 8th provides that "the Supreme Commander shall take an oath to observe and maintain the principles of the Order, before entering upon the duties of his office, said oath to be prescribed by law. He shall be the presiding officer of the Supreme Council, and charged with the execution of all laws enacted by it. He shall be commander-in-chief of all military forces belonging

to the order, in the various States, when called into actual service. He shall deliver a message to each meeting of the Supreme Council, showing the condition of the order and such recommendations as its interest may demand."

Now, gentlemen, you begin to see the meaning of the inscription on those banners which are carried in the Democratic procession—"A free ballot or a free fight." Just as the Democratic Administration stripped us of arms—just as, through President Buchanan's message and Attorney-General Black's opinion, the Democratic party of the North pledged itself to stand by the men of the South in the unholy work of sundering our country and destroying our flag—these leaders are secretly arming men, and swearing them to their secret, so that they may still do the promised work, four years later though it be. And they desire that there shall be no soldiers in the Northern States—that the *habeas corpus* shall have full play—that every Democratic judge of a police court may let the members of the order run when arrested, and that when the election day comes they may appear at the polls with their rifles and revolvers, and drive you and other peaceable citizens of the country away. That is part of the present conspiracy that is attempted to be executed.

I say, fill the ranks of your army; stand by the President and the Administration, and the commanders of your army and navy in the exercise of all their great constitutional powers. Let us show, by the shouts we give for each new victory for the Union, whether it be achieved by Sherman, or Grant, or Sheridan, or Butler, or Farragut, or Porter, or Banks, or any other officer—let us show by the manner in which we make the very welkin ring at the news of each victory, that we mean to sustain Abraham Lincoln in maintaining the supremacy of the Constitution, the unity of the country, the beauty and perfection of the flag of America; that we mean by thus sustaining them to transmit to our posterity the blessings we inherited from our ancestors, unimpaired and undiminished; that we mean to keep this broad land, including the wide fertile fields of the sunny South, with its balmy airs and its brief winters; that we mean to keep this whole country, sweeping from the rock-bound coast of the Atlantic to the golden sands of the Pacific, from the wintry lakes of the North to that summer sea, the Gulf of Mexico, over whose surface the winter winds never howl; that we mean to keep this land, capable of maintaining a thousand millions of people of a generation—as many as there are in Europe and the elder East combined; for in Europe are 250,000,000, and in Asia and the East 750,000,000; and our country is able to feed, sustain, house, and educate another thousand millions of people; and let us send the word across the wide waste of waters to the oppressed people of England, Ireland, Scotland, Germany, France, and all Europe, that here in our valleys and on our hills—upon the broad savannas of the South and the rolling prairies of the West—that here they shall find wages for their labor, schools for their children, poor though they be—the highest honors of the land open to them all, to stimulate their ambition, and that while they share these blessings with us, all we ask of them will be, to be good and patriotic citizens of an undivided country, and the most beneficent republic the world has ever seen.

Speech of Hon. Wm. D. Kelley in the Northrop-Kelley Debate,

AT SPRING GARDEN INSTITUTE, WEDNESDAY, SEPTEMBER 28.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

SOME of you would probably be a little offended if I were to address you as "my fellow cats and kittens;" yet I would be justified in doing so by the language employed by my distinguished opponent on the last evening of our discussion, for he told us that we have all been used as simple cats by that cunning old monkey, New England, to take her chestnuts out of the fire—from which I infer that he regards our soldiers away off there in their distant encampments as but poor unsuspecting kittens, who are being used by that old monkey to pluck her chestnuts out of the fire. I had supposed, until I heard this suggestion, that they were there trying to re-establish the unity of our country and the supremacy of our Constitution, and to give again to our flag, in the eyes of all men and nations, the prestige that belongs to it. I had supposed, men of Pennsylvania, that when your fathers made "a more perfect union," in order that, among other blessings, their posterity might enjoy liberty, they worked for you as well as for the people of New England; and I also supposed that the workingmen of Pennsylvania, who may have found that from their daily labor they cannot lay up capital enough to leave their families above want, have a personal interest in the public lands of this country, which, so far as they lie in Florida, Louisiana, and those States west of the Mississippi, which were carved out of the Louisiana territory, were bought by us or our ancestors with our money, or by the blood of our brothers—that they have such an interest in these public lands as to feel that it were better that the elder born boy of each family should die in the defence of this right than that the old parents and the younger children should be robbed of so beneficent a heritage. I have explained to you that those lands are yours—that you have but to pitch a canvas tent upon the given number of acres, and occupy them for five years, when, at the mere cost of a deed, the Government must give you a written and indefeasible title to them. And yet my friend so overlooks you in his detestation of New England that he can only see her chestnuts in the great conflagration now prevailing.

I believe in an offensive war. I complained of Abraham Lincoln that he did not drive on the war fast enough. I urged him from the time that McClellan's defection from our great cause became apparent to me till he left the command, to make the war aggressive. And in conducting these debates I have been better pleased to take my own field, and to put my friend upon the defensive, than to dance around in any narrow circle that he might be pleased to fashion or prescribe for me.

To the question whether I "approve of any or all of the twenty-three acts of Congress, each having for its object the declared purpose of giving to the negro all the rights, immunities, and privileges which have hitherto been enjoyed by the white man only," I give a partial answer to-night by saying that there are no such laws on the statute book, and asking my friend to point to one such, promising to make a fuller reply to the question when it comes in my way, if he shall have done so. Meanwhile, I protest that there is not such a law on our statute books.

I make these preliminary remarks and add the sad reflection that my friend has at none of our three meetings had a word of condemnation for any Southern Rebel, whether civilian or soldier. Yes, having seen our flag fired upon—our fortifications, our custom houses, our post-offices, our national hospitals, our mints, our territory taken possession of—having heard from the Rebel Secretary of War on the night on which the storming of Sumter was announced at Montgomery, Alabama, that before the then coming first of May the "stars and bars" would float over the Capitol of our country in Washington—having before his view the graves of hundreds of thousands of Americans who have died in this war for the defence of our flag—the gentleman has no word of condemnation for the perpetrators of these crimes, but tells you that he has an "American repugnance to the use of bayonets and the knocking out of men's brains." I am not very fond of it myself; but I confess I had rather put a bayonet through another man than have him put one through me; and, my fellow-citizens, we had reached such a point that we must creep and crawl, and beg from the invaders the privilege to live, or, like Americans indeed, must fight; and it will require more than one orator of the modern

peace party to convince me that in a war of self defence an American has a "repugnance to knocking out the brains" of the invader of his home or country. It is not an "American repugnance." The American people are the most martial people in the world. There is not a man in this whole assemblage, or in the district which I have the honor to represent, who, if a scoundrel should come into his house, insult his wife, and offer outrage to his daughter in his presence, would not brain the miscreant on the spot. The rebels are endeavoring to rob your wives and children of their patrimony and you of your honor; and the gentleman feels and confesses an "American repugnance to pointing a bayonet" at them. I tell you all that I am for war—war right straight forward until every rebel shall have laid down his bayonet; and if he will not lay it down until his brains are knocked out, then I am in favor of knocking them out; because we must have peace, and with that peace we must enjoy possession of every acre and every inch of our country. I do not want to see the war cease as long as there is upon our soil an armed band bearing a foreign flag. My honor and yours is involved in this issue. We are pledged by the memory of our ancestors to overcome the rebel hordes; we are bound by all the hopes of our posterity and of humanity to do it.

The gentleman says he "is not the champion of a defunct administration." Let me ask him whether he believes in the Chicago Platform?

Mr. Northrop. Which one—Lincoln's or the last one?

Judge Kelley. I mean the Fernando Wood platform.

Mr. Northrop. I do not know any such platform.

Judge Kelley. If it is to be regarded as the platform of any man, let it be ascribed to him who had a potent voice in making it, and not to him who was heroically struggling with the multifarious affairs of our distracted country at the time when it was making. I mean that platform which pledges the Democracy to the "Union under the Constitution in the future *as in the past*." For Mr. Buchanan's Administration was part of the past of that party, and the phraseology of that resolution was adopted to delude ignorant and thoughtless men, and lead them to believe that it is a pledge to the maintenance of the Constitution and the country, while in fact it is a pledge that if that party shall come into power, the Union and the Constitution will be maintained in 1865 just as they were in 1860, when that party was in power. I have spent two evenings in showing how that was. It was by building up a foreign Confederacy, arming it and giving it a navy, and by stripping you of arms; it was finally by surrendering the public property throughout the South, and the larger part of our country to that armed Confederacy. Therefore, the man who stands up for the Chicago platform is bound by those words "as in the past" to vindicate alike the Administration of James Buchanan and Franklin Pierce. Those administrations are a portion of the Democratic party's "past;" and they constitute the last eight years of its "past," and that is the "past" to which the authors of the Chicago platform refer when they limit their pledge of devotion to the Union, by the phrase "in the future as in the past." No man can defend the Chicago platform and its nominees who dissents from James Buchanan's message, which announced to the people of the South, that the loyal man who dare stand by his country and his country's flag, against the secessionists of his sovereign State, would do so at his peril, and in defiance of the Administration of James Buchanan.

I shall come to the Chicago platform by and by, and discuss it fully. My purpose to-night is to go on as I have begun, and when we shall have ascertained the precise position of both parties with reference to the great question of maintaining our country and its Constitution, it will be time enough to go into details about acts of Congress, my votes on particular bills, and other such questions. I did not pronounce the gentleman's questions "metaphysical." I simply said that, by the terms of our agreement, I was not pledged to answer any metaphysical question that he might see fit to propound.

I read to you on last Monday evening an article, the 8th of the Constitution of the S. G. C.'s, a secret oath-bound association, and to-night I proceed in pursuance of my argument to show you that the Democratic party—not the masses of the party—God knows there are many honest and unsuspecting members of the party; there are many of them who believe that the party still stands by the doctrines of its fathers; there are many of them who have not had the courage to tear themselves away from the leaders who have long enjoyed their confidence, and of such I do not speak. I speak of the designing leaders, the managers of the party, and I say that it is their object now, as it was in 1860, to dismember the Union; and in this connection I will tell you why my learned friend so assails New England. It is not that he hates his old *alma mater*, Yale College. He took occasion to tell you that I had spent four years in New England. So did he. I happened, however, to spend those years near Bunker Hill, in the State which gave birth to Hancock and Otis, old Sam Adams and John Adams and Warren; while he spent his in the little State that gave birth to both Benedict Arnold and Isaac Toucey! I do not mean to say that his residence there affected his political convictions. He was, as I was, a mere boy, or one just stepping over the threshold of manhood. He was there obtaining that education which so adorns his speech. I was there as a humble youth in the workshop, earning my daily bread by my daily labor. And we both came away bettered by the good influences of New England. Connecticut, though she did give birth to two traitors—one who tried to surrender our army, and one who sent twenty-

seven of the finest ships of our navy to a foreign enemy—is as patriotic a State as any in the Union. Why, sir, among the twelve Apostles there was a Judas; and we are not to condemn a State or a section, because it has given birth to a couple of traitors whose names will stand pre-eminent in history for their treason. The gentleman was not hurt by being in New England; he was not poisoned by breathing the air of the State that gave birth to Toucey and Arnold. And he does not hate New England; he does but echo the slang of the Southern leaders of his party when he abuses her so. They hope by this means to accomplish a certain result, after they shall have sundered the Union. They endeavor everywhere and by all means to poison the mind of the masses of people against New England. This is not done without an object. They want to grant an armistice, which would result in a surrender to the South. Now that we have fairly whipped the South they wish us to fall down on our knees and crave the slave-masters of that sacred region to give us pardon for having been so bold. Their object is to let the South go in peace, hoping that we can woo her baby-selling and woman-whipping aristocracy to associate with us again by promising that New England shall be put out in the cold or thrown over to a Canadian confederacy. That is the aim. The leaders of that party do not believe that “the laborer is worthy of his hire.” They have no word of denunciation for slavery or the slave-drivers; but for New England, which gives education and wages to every man coming into her borders by birth or emigration, for free New England with her public schools and social equality, they teem with denunciation.

I shall proceed to show that their purpose is just what I have said—to dismember the Union in the hope of organizing a Union as a great slave empire, based on the sentiment proclaimed by Herschel V. Johnson, in our own Independence Square, at the great Democratic meeting, on the 17th of September, 1856. He then and there said: “The difference between us, gentlemen, is this—we think it better that capital should own its own labor, while you believe that capital should hire its labor.” I charge upon the leaders of the Democratic party a wilful design to degrade the laboring masses of this country by nationalizing slavery. They know the stubborn resistance which New England presents to this object, and therefore they are going through this land deriding New Englanders, and, as my competitor did, denouncing Plymouth Rock and its incidents as “a disgrace to any people,” poisoning the mind of the country in the hope that, by pursuing the course that McClellan pursued while he was at the head of the army—spending money and refusing to advance—they will yet so exhaust the patriotism and energies of the people as to induce them to consent to the arrangement I have indicated.

The section of the Constitution of the S. G. C.’s which I read showed you that there is within that party a secret organization embracing five hundred thousand members, and that it is a military organization under the charge of a “supreme commander,” who “shall be commander-in-chief of all military forces belonging to the order in the various States, when called into actual service.” The S. G. C.’s are not organized like the company to which the gentlemen referred, for dress parades, but for active service as fighting men.

And, by the way, I may as well refer to the gentleman’s story of the volunteer who turned one way when ordered to go the other, and complained that the company he had thus left had deserted him. While you were recovering from the paroxysm produced by this bit of facetia he inquired whether I admitted that I had left the Democratic party or charged that it had left me. That does not admit of a question; it left me. The men who forced Calhoun’s fatal dogmas on the party forced all thinking and honest Democrats to choose between their good principles and evil and dangerous associations. Thus forced to elect, I chose to adhere to my principles, and let those would-be leaders and their pliant followers go where they might. Nor was my decision singular. The masses of the Democracy concurred in it. Look at Maine. The people of Maine by twenty thousand used to be with the Democratic party, but they have just rolled up a majority of nearly twenty thousand for the party with which I co-operate. New Hampshire used to be with the Democratic party by an almost unbroken vote: she was as solid as Berks County. She now as sturdily repudiates the false leaders, principles, and measures of the party. Connecticut used to be a Democratic State. Connecticut now sends to Congress three members belonging to the same party with me, and a fourth (Mr. English) who is denounced by the leaders of his party in Congress because, though nominally a member of their party, he has voted steadily against it on all questions of men and money to carry on the war; and he could not stand up a day in Connecticut unless he did so. New York was an inveterately Democratic State: but her majority against McClellan, I am told by the most knowing men of the State, will be a hundred thousand. Ohio used to be a determinedly Democratic State. Did she not give a majority of one hundred thousand against the “exiled patriot,” Vallandigham. Iowa used to be a Democratic State; but her sons stood with me by the principles of the party, and now, with an overwhelming majority, go with the party that I support. Was not Missouri a Democratic State? She kept old Tom Benton in the United States Senate for thirty consecutive years; yet she is more radical to-day than Massachusetts, and the quarrel of the leading men of the State with Mr. Lincoln was that he has not been radical and rapid enough. Have I not shown that the base element of the party sloughed off from the old platform of principles? It was no mere “corporal’s guard” they left behind; but the controlling men and animating principles of the old party—yes, gentle-

men, I again assert that the present corrupt leaders of the Democratic party—left me standing on the principles of Jefferson, Madison, and Jackson.

I will take another test and prove my assertion. Who are the Democratic leaders to-day all over the country? Let us look at our own city. Do you not all know that I have battled politically with my friends Wm. B. Reed, and Josiah Randall, and George M. Wharton, all my life, and with my distinguished friend here, when he was a Whig member of our City Councils? The leaders are not the same; the principles are not the same. Gen. Lewis Cass lives, at least so the newspapers inform me, to give his vigorous dissent to the Chicago platform. Preston King, George Bancroft, Daniel S. Dickinson, and the great Democrats of New York, Hannibal Hamlin, George S. Boutwell, and scores of the great leaders of the Democracy of New England—John A. Dix, Benjamin Butler, Grant, Sherman, Farragut—are all Democrats of the old school, but all stand by their country and its flag, and the Administration that is striving to maintain that country and flag. Gentlemen, if my “company” is small, it has, to say the least, some very good soldiers in it. You will not tell me that I need be ashamed of it!

I now turn to the proceedings of the Grand Council of the State of Indians, at their meeting held on the 16th and 17th of February, 1864. The session closed with a resolution “That the Grand Secretary prepare and publish, in pamphlet form, the address of the Grand Commander, with such part of the proceedings of the Grand Council as may be necessary for the information of the County Temples, and send one copy of said publication to each County Temple.”

The Grand Commander begins by addressing his hearers as “Councillors,” and in the course of his remarks, says:—

“We are organized for a high and noble purpose, the erection and consecration of Temples to the service of true Republicanism; altars upon which we may lay our hands and hearts with the invocation of the ‘God of our Fathers.’” (That is the beginning of one of their oaths.) “Well may we call upon the God of truth, justice, and human rights, in our efforts to preserve what the great wisdom and heroic acts of our Fathers achieved.

“This, my friends, is no small undertaking—requiring patience, fortitude, patriotism, and a self-sacrificing disposition from each and all, *and may require us to hazard life itself*, in support and defence of those great cardinal principles which are the foundation stones of the State and Federal Government.”

“To hazard life itself, eh?” Some of the revolvers with which they were to be armed while making the hazard, were seized just as they had got them from New York, into the room of Commander Dodd, at the same time this pamphlet was found.

“The creation of an empire or republic,” the Commander continues, “or the reconstruction of the old Union, by brute force, is simply impossible. The liberation of four million blacks and putting them upon an equality with the whites, is a scheme which can only bring its authors into shame, contempt, and confusion; no results of this enterprise will ever be realized beyond the army of occupation.”

Is not this, let me ask, precisely the doctrines that my friend has been teaching you: That it is a war to free the blacks, and that we can never do anything in that war—that we cannot coerce the States, or conquer the people of the South?

But let the Commander go on:—

“*There need be no apprehension that a war of coercion will be continued by a Democratic administration, if placed in control of public affairs*, for with the experience of the present one, which has for three years, with the unlimited resources of eighteen millions of people, in men, money, and ships, won nothing but its own disgrace, and probable downfall, it is not likely that another, if it values public estimation, will repeat the experiment.”

You, gentlemen, have not known that when you were cheering for victories, you were cheering for the “disgrace” of your country or the administration that presides over it.

But still again to the commander: “If these men be prolonged in power, they must either consent to be content to exercise the power delegated by the people, or, by the gods, they must prove themselves physically the stronger.” (They must fight.) “This position is demanded by every true member of this fraternity; honor, life—ay, more than life, the virtue of our wives and daughters demands it; and if you intend to make this organization of any practical value, you will do one of two things—either take steps to work the political regeneration of the party with which we are affiliated, up to this standard, or, relying upon ourselves, determine at once our plan of action.

“It might be asked now, shall men be coerced to go to war, in a mere crusade to free negroes, and territorial aggrandizement? Shall our people be taxed to carry forward a war of emancipation, miscegenation, confiscation, or extermination?”

No: but it shall, Mr. Commander, and will be carried on to defend and maintain the great nation known as the United States.

But still again:—

“It would be the happiest day of my life, if I could stand up with any considerable portion of my fellow-men and say, not another dollar—not another man for this nefarious war. But the views and suggestions of exiled Vallandigham will be of greater consequence to you than

my own. He says to you, "the only issue now is *peace or war*." Vallandigham, like his eminent disciple my friend, has an "American repugnance to bayonets and knocking out people's brains," and he says that "the only issue now is peace or war.") "To the former he is committed, and cannot, will not retract. He tells us not to commit ourselves to men; as well as he loves, and much as he admires the little hero McClellan, he would have the Chicago Convention act with untrammeled freedom. He reasons that the spring campaign will be more disastrous to the Federal armies than those heretofore made. That by July, the increased call for troops, the certainty of a prolonged war, the rottenness of the financial system, defection of border State troops, the spread and adoption of the principles of this organization, will all tend to bring conservative men to one mind."

The commander must have forgotten that we had not McClellan still at the head of the army when he supposed that the spring campaign would be so disastrous, and would drag along so slowly. He did not remember that we had put "real" soldiers at the head of the army. He did not know that Sherman was going right down to Atlanta to take possession of the Southern railroad system. He did not know that Grant was going to hem in Lee's army and the citizens of Petersburg and Richmond, and then let Sheridan go down the Valley, cutting off their last railroad communications, so that in a little while they must surrender just as was done to Grant at Vicksburg and to Banks (who is still not in a gunboat) at Port Hudson.

Gentlemen: these peace Democrats are just as much mistaken when they say that we cannot conquer and repossess our own country, as they were in supposing that Grant and Sherman and Sheridan would not move our columns onward, or Farragut bring his guns into play.

In the gentleman's clamor against New England, he cites the Hartford Convention as an objectionable part of her record.

Do you not know, sir [addressing Mr. Northrop], that in the speech you made this evening you elaborated and approved the doctrines of the Hartford Convention? Do you not know that the men concerned in that movement were the peace men of 1812? Do you not know that they clamored for peace, and urged against the then Democratic Administration every charge that you and the Democratic leaders urge against Abraham Lincoln to-night? Do you not know that in that very portion of their report that you read was embodied the spirit of the Virginia and Kentucky resolutions of 1798, which were indorsed by the Cincinnati Democratic platform of 1856, and were reaffirmed by the Democratic Convention of 1860? It is wonderful that you have failed to perceive all this. At the Chicago Convention, Mr. Long, of Ohio, again offered those resolutions, and they were rejected. Why were they rejected? Because by those resolutions the right of a State that believes her constitutional rights to have been infringed is limited to nullifying the unconstitutional act. Mark you, in 1798 Virginia and Kentucky adopted resolutions defining the jurisdiction of the National Government over the States; and the Kentucky resolutions set forth that if the United States Government should infringe the reserved rights of a State, that State might nullify the objectionable act until its constitutionality could be tried in the Supreme Court. Mr. Alexander Long (whom we voted in Congress to be an unworthy member, and whom we would have expelled, but that the Democratic members sustained him, for praying God that we might never conquer the South) introduced those resolutions at Chicago as an addition to the platform, and the members of the Convention rejected them on the ground that they believed in the doctrine of secession, while the old States Rights resolutions of Kentucky and Virginia limited the remedial right of a State to the nullifying of an act until the Supreme Court could pass on its constitutionality. Those resolutions were not broad enough for the Chicago Convention; they did not assert the right of the South to secede, but did limit the remedial right of a State to the nullification of an unconstitutional law. The members of that Convention knew that the Federal Government had violated no constitutional right of the Southern States, and therefore they would not adopt those resolutions.

Let me now turn to the passage which was read the other evening by my distinguished friend from Dwight's *History of the Hartford Convention*. It is in these words:—

"That acts of Congress in violation of the Constitution are absolutely void, is an undeniable position. It does not, however, consist with the respect and forbearance due from a Confederate State towards the General Government, to fly to open resistance upon every infraction of the Constitution. The mode and energy of the opposition should always conform to the nature of the violation, the intention of its authors, the extent of the injury inflicted, the determination manifested to persist in it, and the danger of delay. But in cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State and liberties of the people, it is not only the right, but the duty, of such a State to interpose its authority for their protection, in the manner best calculated to secure that end. When emergencies occur which are either beyond the reach of the judicial tribunals, or too pressing to admit of the delay incident to their forms, States, which have no common umpire, must be their own judges and execute their own decisions."

It so happens, however, that the States of this Union have a common umpire. My friend has made to-night, and throughout this discussion, so far as he has argued logically, just the

argument contained in the passage I have just read. He tells you that the Southern States went out of the Union because the Northern people said ugly things to them ; and he read portions of what had been said. He asked you whether you would not strike a person who called you a liar, implying that the Southern States were right in the course they have taken, because some persons in the North have applied offensive epithets, not, however, such as "mudsills of society." to them. He contends furiously for "free speech;" while his whole argument in justification of the South and its wicked war is founded on the fact that certain men in New England during a long period of time have thought for themselves, and have said what they thought. He does not point you to a single act of violence on the part of New England, or of any one of the States of New England. His whole complaint is that some of her clergymen and other citizens will think, and will say what they think, and that therefore the South has, to say the least, a thorough palliation, if not a sufficient vindication of her absolute right to go out and make war on us who remain. Is it not so?

When the gentleman denounced the Hartford Convention and its address, he was denouncing his own doctrines. That assemblage of New England gentlemen who, self-appointed, without authority and without power, met and prepared an address, which the gentleman professes to condemn, agreed with him more largely than he is willing to let you know. Did not the gentleman a night or two ago close his speech by denunciations of conscription? Did he not contend that the National Government, by assuming the right to conscript and to manage the militia of the States, is converting the State militia into a standing army? Let me return to the address of the Hartford Convention. I will read from page 358, while he read from page 361 of the same volume; there is but one leaf between the two extracts. The book is Dwight's Hartford Convention.

"The power of dividing the militia of the States into classes, and obliging such classes to furnish by contract or draft, able-bodied men to serve for one or more years for the defence of the frontier, is not delegated to Congress. If a claim to draft the militia for one year for such general object be admissible, no limitation can be assigned to it, but the discretion of those who make the law. Thus, with a power in Congress to authorize such a draft or conscription, and in the Executive to decide conclusively upon the existence and continuance of the emergency, the whole militia may be converted into a standing army, disposable at the will of the President of the United States.

"The power of compelling the militia, and other citizens of the United States, by a forcible draft or conscription, to serve in the regular armies as proposed in a late official letter of the Secretary of War, is not delegated to Congress by the Constitution, and the exercise of it would not be less dangerous to their liberties, than hostile to the sovereignty of the States. The effort to deduce this power from the right of raising armies, is a flagrant attempt to pervert the sense of the clause in the Constitution which confers that right, and is incompatible with other provisions in that instrument. The armies of the United States have always been raised by contract, never by conscription, and nothing now can be wanting to a Government possessing the power thus claimed to enable it to usurp the entire control of the militia, in derogation of the authority of the State, and to convert it by impressment into a standing army."

Are not these identically the suggestions of the gentleman? They are; and I beg him not to tell me, an old Democrat, that it is the Democratic party which stands on the doctrines of Benedict Arnold, of the Peace men of 1812, and the Peace men of the war with Mexico. A true Democrat denounces Arnold as a traitor, regards most of the doctrines of the Hartford Convention as dangerous, and believes that the war with Mexico was a just war. I learned all these things in the Democratic party, and I proclaimed them all through 1844, and at later periods when, long after I had come from New England, I stumped this State in the cause of the Democratic party. But, oh, God! what would the spirit of Thomas Jefferson think, if it could hear these Peace men proclaiming, in his name and in the name of Democracy, the treasonable sentiments of Arnold, the doctrines of the Hartford Convention, and the clamors of the Peace men of the Mexican War?

Here is the book which the gentleman introduced; here is the report from which he read. Now, who made that report? Is New England responsible for it? Did it emanate from any Legislature of New England? Was it made by any official body? No: certain gentlemen who had been elected to different Legislatures, and who held the tenets of the modern Peace Democracy—who were opposed to the war—who were aiding our enemies by embarrassing the Government—appointed a meeting at Hartford, just as Judge Black and Fernando Wood, and a number of peace men appointed a meeting the other day, at the New York Hotel, in the city of New York. They were merely private citizens (though very distinguished ones), and they adopted and published a report. But even they (and the gentleman knows it as well as I do), opposed as they were to the war, did not ask that the war should be stopped. They said that New England's frontier was not protected; that an adequate navy was not provided; that their fishermen and commercial marine were neglected; that their coast and their seaports had no defence, and they asked that New England might be permitted to raise her own taxes and carry on the war, so far as the coast and limits of New England extended, at her own cost and at her own risk. That is what they asked. They did not ask that the

flag should be stricken and furlled, and an armistice granted, and that we should try to coax our enemy into consenting "on some terms or other," to let us go without looking at that ugly thing, a bayonet, which it is so un-American to use. Even the members of the Hartford Convention did not so far forget what was due to their manhood as to do that. But the gentleman has assumed all their doctrines, and he must stand by them.

Let me pause to ask what the sentiment of New England really was in regard to the constitutional questions involved in the extract which the gentleman read? The book which I hold in my hand (Elliott's Debates, vol. iv.) contains the answer of every New England State to the Virginia resolutions of 1798. There is the answer of Connecticut, of Massachusetts, of New Hampshire, of Vermont, of Rhode Island. They are all there. I commend them to the gentleman, and I ask him to find in one of them any declaration which does not say that the Union is supreme, which does not repudiate the doctrines both of the Virginia and Kentucky resolutions of 1798, and of the Hartford Convention—which does not put those States thoroughly upon the doctrine of the supremacy of the General Government. And, sir, no one of these States has failed to fill its quota, and to fill it promptly, under any call during this war.

Thus, I have shown, that when the gentleman went to New England to find all that was, in his judgment, vile—all that he might hope would inflame your passions—he found in the saddest page of her history his own doctrines; when he pointed to the most damning fact in her whole record, he held up before you the conduct and opinions of men who, did they still live, and hold the opinions they then did, would rally around him and cheer him for the speeches he is making to-night.

Now, sir, I pass to another point. I am, sir, in favor of maintaining the Monroe Doctrine. But what is the use of talking about the Monroe Doctrine, while between our armies and Mexico, or Central America, lies a proud military Confederacy. We cannot attempt to carry out the Monroe Doctrine until we get Jeff. Davis and his army out of the way. And what is the use of fighting Europe about an abstraction which cannot become practical until we shall have repossessed our country? I turn, sir, and ask you, whether you are in favor of the Monroe Doctrine; and if you say you are, I ask you to explain how the United States Government can enforce the Monroe Doctrine if it permits an alien Confederacy to extend from the Sabine, ay, from the Del Norte to the Potomac. It is my devotion to the Monroe Doctrine that makes me want to see this foreign government that has been set up on our soil kicked into the Gulf. No foreign or stranger power must flout a flag alongside of ours, on the American continent, whether it be the stars and bars of Jeff. Davis, or the lily of France, or the eagle of Austria; and I tell you, my friends, that when we have finished the war in which we are now engaged, the Monroe doctrine must be enforced. When that is to be done, the 127th regiment of U. S. colored troops, that I saw march through the city today, with others like it, will be of special value. They are composed of just the kind of men to walk across Central America, for the enforcement of the Monroe doctrine. We of the white race cannot go there. That is a tropical country; it is malarious; and its malaria is fatal to our race. Do you know that so fatal a region is that to the white man, that to construct the railroad across the Isthmus cost seven thousand human lives? Men took the job of working upon it. Their names appeared on the pay-roll for one, two, or three days, and then they disappeared forever—victims to the Chagres fever, as travellers call it. Our enterprising but heartless men, instead of taking negro laborers to make that railroad, because they are opposed to giving the negro wages for his work, pressed on and hired white men until they had laid along the line of that short road the bones of seven thousand human beings. We who are born in the North—we whose skins are white, and who thrive in the cold regions of the world—we who, in the North, live long, carry our teeth well, get many children, cannot live and propagate in that tropical and malarious region. Our race runs out there. But in that region the negro lives long; he carries a head as white as the driven snow, because no snow comes there to chill him; his family is numerous, and he dies with his teeth firmly set in his head. And when we shall have "crushed out" this rebellion, these black soldiers of ours will take the American flag in their hands, and sweep across that to us pestilent region, and drive the Austrian cousin of the august Emperor of France into the ocean or on to a "gunboat," and maintain, in the name of the American people, the Monroe doctrine. But they, with the other soldiers of our army, must first annihilate the army of Jefferson Davis, which enjoys in so eminent a degree the sympathy of my friend, because the New England people made faces at the Southern people and called them ugly names. Yes, I am in favor of the Monroe doctrine, of preventing all foreign interference in this country, and so are you, my honest Democratic fellow citizens; and you will overwhelm your leaders with indignant contempt, when you come to fairly and fully understand what they have been and are now doing.

Now let us turn to the letter of Lord Lyons to Earl Russell, respecting mediation. It is an official communication from the English Minister to his Government. It is dated Washington, November 17th, 1862—two years ago the coming 17th of November.

Lord Lyons writes:—

"In his despatches of the 17th and 24th ultimo, and of the 17th instant, Mr. Stuart reported

to your lordship the result of the elections for members of Congress and State officers, which have recently taken place in several of the most important States of the Union. Without repeating the details, it will be sufficient for me to observe that the successes of the Democratic, or (as it now styles itself) the conservative party, has been so great as to manifest a change in public feeling, among the most rapid and the most complete that has ever been witnessed in this country.

"On my arrival at New York, on the 8th instant, I found the conservative leaders exulting in the crowning success achieved by the party in the State. They appeared to rejoice, above all, in the conviction that personal liberty and freedom of speech had been secured for the principal State of the Union. They believed that the Government must at once desist from exercising in the State of New York the extraordinary (and as they regarded them) illegal and unconstitutional powers which it had assumed. They were confident that at all events after the 1st of January next, on which day the newly-elected Governor would come into office, the suspension of the writ of *habeas corpus* could not be practically maintained."

Mark you, Democrats, Lord Lyons informed his Government that the Democratic leaders believed that Horatio Seymour would bring on a collision between the State of New York and the General Government, rather than permit the Government to do that which I have shown you General Jackson did, and by vindicating the constitutionality of which Douglas made his fame. And they talk about being Democrats and patriots.

His Lordship continues:—

"On the following morning, however, intelligence arrived from Washington which dashed the rising hopes of the Conservatives. It was announced that General McClellan had been dismissed from the command of the Army of the Potomac, and ordered to repair to his home; that he had, in fact, been removed altogether from active service. *The General had been regarded as the representative of conservative principles in the army.*"

"The General had been regarded as the representative of conservative principles in the army,"—when "conservative principles" meant opposition to the suspension of the *habeas corpus* and similar exertions of constitutional power! Was he cheating the Democratic leaders, or was he cheating the Government and the country? We looked upon him as the head of our army—as one who was striving to lead it to victory; but the Democratic *peace* leaders who were in confidential relations with him looked upon him as their "representative" in the army!

Again, his Lordship says: "Support of him had been made one of the articles of the Conservative electoral programme. His dismissal was taken as a sign that the President had thrown himself entirely into the arms of the extreme radical party, and that the attempt to carry out the policy of that party would be persisted in. The irritation of the Conservatives at New York was certainly very great; it seemed, however, to be not unmixed with consternation and despondency."

I do not wonder at it; for they saw that when he was removed, it was probable that his place would be filled by a General who would represent the United States and not the Democratic *Peace* party. In such a change they found full cause for their "consternation and despondency."

But again: "Several of the leaders of the Democratic party sought interviews with me, both before and after the arrival of the intelligence of General McClellan's dismissal. The subject uppermost in their minds, while they were speaking to me, was naturally that of foreign mediation between the North and South."

Here we see the leaders of the Democratic party creeping to the feet of the British minister, to talk of foreign mediation. Are you, sir, and are these your political brethren in favor of the Monroe doctrine?

But to his Lordship again: "Many of them seemed to think that this mediation must come at last, but they appeared to be very much afraid of its coming too soon. It was evident that they apprehended that a premature proposal of foreign intervention would afford the Radical party a means of reviving the violent war spirit, and of thus defeating the peaceful plans of the Conservatives."

Gentlemen, do you not agree with me in thinking that if the citizens of this country, especially the honest Democrats, had known that the Democratic leaders were with Lord Lyons, trying to get his Government to straighten us up, by dividing our country, it would have "revived the radical spirit" a little, and possibly at the cost of some of those leaders?

"They," says his Lordship, "appeared to regard the present moment as peculiarly unfavorable for such an offer, and indeed to hold that it would be essential to the success of any proposal from abroad, that it should be deferred until the control of the Executive Government should be in the hands of the Conservative party."

They pledged themselves to Lord Lyons that when the Government should come into their hands Great Britain should have her way about dividing our country; but they thought it would not be judicious to make the proposition at that time. "Wait," said they, "till the Government comes into the hands of the Conservative party"—the party of my friend here and of General McClellan, and of that eminent conservative, George H. Pendleton, who has never voted a man or a dollar for the prosecution of this war.

"I gave no opinion," says Her Majesty's minister, when reporting the part he took in this council of Democratic leaders, "on the subject. I did not say whether or no I myself thought foreign intervention probable or advisable, but I listened with attention to the accounts given me of the plans and hopes of the conservative party. *At the bottom I thought I perceived a desire to put an end to the war, even at the risk of losing the Southern States altogether.*"

I am going to prove that his lordship was not mistaken, and that what they mean is to let the Southern States go. I ask my friend, what value the Monroe doctrine would have for us, after we had let the Southern States go? What interest we would have in the Monroe doctrine, with a foreign military Confederacy sweeping from the Potomac to the Rio Grande?

"But," continues his lordship, "it was plain that it was not thought prudent to avow this desire. *Indeed, some hints of it, dropped before the election, were so ill received that a strong declaration in the contrary sense was deemed necessary by the Democratic leaders.*"

I pray you, my Democratic fellow-citizens, mark the course of your leaders when in secret council. It proves that they do not tell you what they believe; that they only tell you what they think will induce you to give them power and follow their fortunes. Lord Lyons says they were willing to make peace and let the South go; but, that on sounding the pulse of the people, and finding that such a doctrine was unpopular, they announced, as you know, that if you would put the Government in their hands, they would carry on the war more vigorously than we had done. It was when they had determined on this system of fraud and duplicity that they started the lies with which their addresses and papers thenceforth teemed; that the Government had embarrassed McClellan, and would not give him all the men it could; that the Democrats were anxious to bring the war to a successful close, but the Government would not let them, because the war was a profitable thing for "shoddy" and other contractors, etc. You remember all this as well as I do, especially you who attended Democratic meetings or read the journals of that party. But let me finish with his Lordship's despatch.

"At the present moment, therefore, the chiefs of the Conservative party call loudly for a more vigorous prosecution of the war, and reproach the Government with slackness as well as with want of success in its military measures. But they repudiate all idea of interfering with the institutions of the Southern people, or of waging a war of subjugation or extermination. They maintain that the object of the military operations should be to place the North in a position to demand an armistice with honor and effect. The armistice should, they hold, be followed by a convention," (thus two years ago you find these Democratic leaders announcing just what should be the platform of the Chicago Convention—an armistice with a view to a convention)—"in which such change of the Constitution should be proposed as would give the South ample security on the subject of its slave property, and would enable the North and South to re-unite and live together in peace and harmony. The Conservatives profess to think that the South might be induced to take part in such a convention, and that a restoration of the Union would be the result."

"The more sagacious members of the party must, however, look upon the proposal of a convention merely as a last experiment to test the possibility of re-union. They are, no doubt, well aware that the more probable consequence of an armistice would be the establishment of Southern independence, but they perceive that if the South is so utterly alienated that no possible concessions will induce it to return voluntarily to the Union, it is wiser to agree to separate than to prosecute a cruel and hopeless war."

Let me borrow the language of my friend's seventh interrogation, and ask whether you are "In favor of the non-intervention of foreign powers on this continent, known as the Monroe Doctrine," or are you ready to crawl with the leaders of the Peace Democracy to the feet of the British lion, and ask its intervention with the affairs not only of the continent but of our own dear country, whose fathers fought that lion eight long years? Are you ready to see this country, which, united, can defy and conquer the world on land or sea, divided, that while England fights one-half of it, France, with its Austrian Emperor in Mexico, may fight the other half? If you are not, I beg you in the name of God and your country to abandon the Democratic leaders, who are treating with Lord Lyons and the titled representatives of other powers of the continent with reference to the division of our country by an armistice and the delusive promise of a convention, which they know can never be had. A people who, having rebelled and fought us for four years, and right on the eve of our final victory, have been granted all they asked, will not make terms with a people whom they would have so good reason to despise as fools, cowards, or traitors. If we withdraw our forces from Atlanta, from Petersburg, from the Shenandoah Valley, and old Farragut from the front of Mobile, and our fleet from the front of Charleston, and our forces from Louisiana, if we surrender to the Southern rebels the free State of West Virginia—if we surrender to them Kentucky, whose people, though they for a time occupied a position of neutrality, are now fighting grandly for the old flag—if we surrender Andrew Johnson and the people of East Tennessee to the lords of the lash—could they have respect for or confidence in us? Why, when we have done thus much they will make us pay for every slave they have lost, and assume their war debt, too. They would threaten us with the dreaded "bayonet" if we did not do all this, and do it promptly—and they would have the right to make these demands, for such a surrender would

be a confession that we have been wrong in defending our country, and they right in assailing it. Certain it is that they will never come into council with us after we have granted them an armistice, and begged their pardon for having defended our nationality and flag.

Gentlemen, I may be very prosy; but I cannot help that! My wish is to make a chain of argument, and weave it together with facts which you all know, and which none of you can dispute. I must, therefore, still pursue my own method rather than that suggested by my competitor.

Now for the first resolution of the Chicago platform. It reads thus:—

“*Resolved*, That in the future, as in the past, we will adhere with unwavering fidelity to the Union under the Constitution, as the only solid foundation of our strength, security, and happiness as a people, and as a framework of government equally conducive to the welfare and prosperity of all the States, both Northern and Southern.”

I reiterate what I have already said, that, in order to understand this declaration, you must refer to what the Democratic party has done in the past. Designing men and their dupes contend that this resolution is a pledge that the party will support the Union. Gentlemen, did you ever see a three-sided sign, which, as you walk one way, exhibits one name, and as you walk another way, displays another, and, when you stand in front of it, shows still another. I have often seen such; there used to be several of them in this city. This resolution is like one of those signs. To the Southern man it reads “the right of secession;” to the unsuspecting Northern Democrat, who goes with the party because he has always belonged to it, it reads “the Union;” and when you are right in front of it, as my friend and the Chicago managers are, it reads “State Sovereignty.”

To a simple, unsuspecting man, this declaration is, on its face, a pledge of fidelity to the Union. Coupled as it is with the words, “as in the past,” it is a pledge to every Southern States rights man that the party adheres to the doctrines which induced Buchanan and his cabinet to allow the Southern rebels to construct fortifications around our forts, make prisoners of our regular army, rob us of our arms, and go out of the Union, without an effort at resistance on the part of the administration.

“But,” says my friend, “what could Mr. Buchanan have done?” Why, he could have sent the arms all North instead of sending them all South; he could have armed all the forts in front of Southern cities, instead of leaving them without armament; he could have put Twiggs and Canby, with their armies, north of the slave States, and had them ready to threaten to descend upon the insurgents, instead of putting them where they could be taken prisoners without any trouble. Indeed, Twiggs handed his troops over of his own accord. Mr. Buchanan could have sent into Congress Jackson’s proclamation to the Nullifiers, adding a little postscript, saying, “I say ditto to General Jackson”—just as, in the English Parliament, a member, unable to compose a speech, but desirous to make a “splurge,” followed one of Mr. Burke’s eloquent addresses with the words “I say ditto to Mr. Burke!” If James Buchanan could not find in the Constitution anything to justify him in maintaining the Union, he could have taken General Jackson’s proclamation to the people of South Carolina, and sent it into Congress, saying, “I believe every doctrine expressed in this great state paper, and will act under like circumstances as General Jackson would have acted,” instead of sending a message which conveyed a threat to the poor Union people of the South that if they dared to stand up to the country and their rights he would abandon them to the tender mercies of their man-stealing and woman-whipping neighbors. That is what he could have done; and had he done this, or asserted a determination to do it, there would not have been war. But for the course of certain Northern men who pledged themselves to sustain the South in secession and to let her go in peace—but for the course of Mr. Buchanan’s Administration in arming and fortifying the rebels, in depriving us of soldiers and giving them a navy—they never would have undertaken the work of breaking up the Union. If we had had a patriot in the Presidential chair, instead of James Buchanan, this war would not have desolated our homes and burdened us with taxes. No man who will take up the plank of the Chicago platform, which I have read, and study it in the light of history, and ask who is to construe the Constitution, if McClellan be elected, will doubt its meaning, if the Democracy get into power. They will take their own view of it—won’t they? Well, what is Mr. Pendleton’s view? Mr. Pendleton was in Congress during the whole of Buchanan’s Administration. He made a speech defending James Buchanan’s message and denying the right of the Federal Government to coerce a State. He is as fully committed to secession as Jefferson Davis himself; and in proof of this I refer you to the columns of the *Globe* throughout the eight years that he has been in Congress. He is an open and avowed secessionist; he does not deny it. The convention that nominated him dare not ask him for a formal acceptance of the nomination. The convention appointed a committee to apprise the candidates of their nomination; and that committee have never yet addressed a line to Mr. Pendleton, because they know what his answer would be—that he would reply “that he accepts the platform which is perfectly consistent with his entire Congressional record.” That would be his answer, and the men of that Convention, who are playing a double game, are afraid to draw that answer forth. When did Voorhees—when did either of the Woods—when did Alexander Long, of Ohio—when did the Democratic representative from Berks County, Mr. Ancona, or the representative from the Democratic

county of Northampton, Mr. Johnson, or from Montgomery and Lehigh, Mr. Stiles, or any other of the leading Democratic members from this State, ever vote for a dollar or a man to sustain this war? They are for peace. They believe in the right of the Southern States to secede and carry with them our patrimony. They know how the Democratic party preserved the Union *in the past*.

I now, as my time is nearly expended, pass to the third plank of the Chicago platform; but let me first remind you that I have read you an article from the Constitution of the Sons of Liberty or the Knights of the Golden Circle, and extracts from a speech of the Grand Commander of the order. I now proceed to show that one object of the Chicago platform was to indorse and encourage the arming of people to assail us at the polls contemplated by the order. The third resolution reads thus:—

"Resolved, That the direct interference of the military authority of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware was a shameful violation of the Constitution, and the repetition of such acts in the approaching election will be held as revolutionary, and resisted with all the means and power under our control."

Who perpetrated the acts thus denounced in Maryland—who issued the order of October, 1861, which I read to you on the last evening of this discussion—but the very man whom they have placed on their platform? Geo. B. McClellan, in October, 1861, ordered his troops to arrest any man of a certain description who might *show himself at the polls*. Yet the Convention denounces such acts as "revolutionary," and "a shameful violation of the Constitution," and pledges the Democratic party to resist a repetition of them "with all the means and power under their control," and are going around denouncing the suspension of the *habeas corpus*, and talking in vague and unmeaning terms about the unconstitutional acts, the tyranny, and the oppression of Abraham Lincoln. Do they point out one tyrannical or unconstitutional act? No, not one. They are trying to inflame the passions and extinguish the patriotism of the people, so as to induce them to make a scene of riot and carnage on election day; and they demand that all troops shall be removed from the Northern States, that they may execute their fiendish purpose with impunity. As Lord Lyons could write to his Government, on the 17th of November, 1862, what the Chicago platform of 1864 was to be, so the Sons of Liberty, who pledge themselves to lay down their lives, and began buying arms, understood what the platform was to be, and they understand what the game is to be.

The object of these conspirators is to surrender half of our country to a foreign Confederacy, and then they hope to carry one State after another into that Confederacy, so that free, intelligent, wages-paying New England, with its undying hatred of human slavery, shall be left out of the new organization. I am against the whole scheme. I am heir to the honors and glories of every Revolutionary battle that was fought in the Southern States. They are heirlooms belonging to me and my posterity. My forefathers were soldiers in the Revolutionary War, and all its honors belong to me in common with the people of this country. Bunker Hill and Lexington belong to me and to you; and while I am unwilling to let them take Eutaw or Camden out of the Union, I am also unwilling to let them, by denunciation or chicanery, put Bunker Hill or Lexington from under the flag of my country. They are all ours. The men of the South and the men of New England tracked with their blood the snows of Valley Forge with our Pennsylvania fathers. It is all, all our country; and we have but to stand by President Lincoln and the war, and our children will inherit it all.

The gentleman said the other night that all wars end by negotiations, treaty, and compromise. Yes, all international wars do, but it is not true of civil wars. If it were so, every rebellion that ever has occurred would have ended in the division of one country into two. But rebellions are generally put down. Texas achieved her independence of Mexico; but Ireland has never been able to achieve her independence of England. Poor Kossuth could not achieve the independence of Hungary. Hungary was put down. Poland has never been able to achieve her independence of Russia. Insurrections and rebellions are put down. People love their country. They may complain of their institutions. I gave Poland my sympathy in the days of my youth. I gave Hungary my sympathy; and one of the proudest testimonials of my life is an autograph letter from Louis Kossuth, thanking me for what I had done for Hungary. I had argued her cause as my friend tells us Abraham Lincoln argued the cause of Texas, when her people and our friends who had gone there were striking for freedom against Mexican despotism and misrule. I ask you to give Abraham Lincoln credit for the good words my friend read to you, and remember that they were uttered in favor of the Texan people enjoying a free American constitution, instead of being recommitted to the despotism of distant and misgoverned Mexico.

Yes, rebellions are generally put down; and this one will be put down. The Chicago Convention pronounced our war a failure. They lied in the throat when they said so. No nation has ever conquered so much territory in the same time. Members of the Democratic party have told us on the floor of Congress and through their newspapers, that we never can conquer an agricultural people of twelve millions, living on their own soil. Are we not doing it rapidly, thoroughly? I first saw the rebel stars and bars across the Susquehanna, floating over most of the houses of the little town of Havre de Grace. At that time, Ben. Butler, whom my friend so loathes, had to take his troops down the Susquehanna, and around by An-

napolis, to get them to Washington to defend the Capital. We have meanwhile conquered Maryland, and her people are freer, happier, and more prosperous than they ever were before. A Republican or an Abolitionist is no longer in danger there, but may think and speak freely. I have discussed the issues of the day and maintained the right of every laborer to wages in the lower counties of Maryland, to audiences in which whites and blacks, slaves and slave owners, were mingled like the squares of a checker-board; and the man who speaks most of freedom, and shows most plainly the curse of slavery, is most welcome in that region as an orator. We hold West Virginia, and it is a free State, no longer held, as England holds Ireland, or Austria holds Hungary, by the slave-driving aristocrats of East Virginia. It is a free State, and the people govern themselves. They know by terrible experience the despotism from which they have escaped. Why, under the law of the old State, when men and women were selling at \$2000 per head, they were by law assessed as worth only three hundred dollars, and when you could sell a babe in the hour of its birth, if the doctor pronounced it healthy, for \$100, the dealers in human flesh being the ruling power of the State, would not allow it to be taxed at all until it came to be twelve years of age. The brutal aristocracy controlling the State taxed the pig of the farmer in West Virginia; they taxed his horses, his plough; they taxed his industry in every shape; but by statute they reduced their slave property to less than one-sixth of its value before they allowed the assessor to come near it. There stands West Virginia, a free State to-day—as the gentleman would say, a “sovereign State”—with her three Union members of Congress and her two Union Senators. I know that the gentleman does not like it, because it proves that the Administration and its friends are reconstructing the Union. It was for this reason that the delegates from West Virginia were refused seats in the Chicago Convention.

Let me ask my Democratic hearers whether, if half the people of a State, covering half its territory, want to come back into the Union, we must say, “No, you must wait till those traitors who have involved us all in war, are ready to come with you.” The people of West Virginia wanted to come in. They had a territory nearly as large as half our State, much larger than Maryland, and we welcomed them. They rejoice in their subjugation, and are devoted to Union and freedom. Kentucky had as duly elected members of the last House, Green, Clay, Smith, William H. Randall, and Julian Anderson, and they voted with me every time. If I voted for the twenty-three acts which the gentleman has referred to, I did it in company with these three Kentuckians, and the members from Maryland (except my competitor’s friend, Mr. Harris) and the members from West Virginia, and the majority of members from Missouri.

But I deny that there are any such acts on the statute book. We passed acts touching the negro, but none of the kind described by the gentleman’s question.

We have also conquered Missouri, though the rebels are again threatening her borders. We have a pretty broad foothold in Arkansas. We have ransacked the residence of Jeff Davis, and found there the letter of Franklin Pierce, declaring that if the South should secede and a war begin, it would not be confined to the South, but would extend to our own cities, our own towns, our own villages. You remember that letter, for it has been published broadcast. It corresponded with the tenor of Mr. Buchanan’s message, and assured the Southern States that they could go out without fear of resistance.

Vicksburg is in Mississippi, and we took it with a garrison of thirty-odd thousand men. We have a lodgment there that enables us to protect the freedom of the Mississippi for a thousand miles. We have opened that river. This and the conquest of all the territory along either side of that river for that immense distance is a work the like of which was never achieved by any nation in a war of less than four years. We hold the commercial frontiers of Louisiana, and command the commerce of the Gulf. We can march through Florida any day we want to. We are teaching the loyal people on the coast of South Carolina and the Sea Islands to read the Lord’s Prayer and the Constitution of the United States, to do which they were never permitted before. We hold so much of North Carolina that those of her people who resist the rebel conscription, and the deserters from their army can rally to the number of seventeen hundred and drive Jeff Davis’s minions from their front. Our flag, if we could get it to them, would float over their citadel, and it will not be long till we give it to them. We hold Norfolk, and have got back the navy yard where were burned many of those magnificent vessels which Toucey surrendered to the embryo Confederacy. We have made the American flag the proudest in the world, and have taught England and France that if we can do so much during a civil war, we shall, when we are again one people, be invincible against the world united. Our failure is a proud one surely!

Speech of Hon. William D. Kelley in the Northrop-Kelley Debate.

DELIVERED IN THE HALL OF THE SPRING GARDEN INSTITUTE, ON
THURSDAY EVENING, SEPTEMBER 29, 1864.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

MY FELLOW-CITIZENS: I think that the course which this discussion has thus far taken has been very judicious; that it is much better that, before entering into the minutiae of the discussion, the matters merely personal, we should have examined broadly the history of parties as they have been connected with this rebellion, and settled clearly what has been the course of the leaders of those parties, those whom they have respectively exalted to high and potential stations. I think that we have pretty well determined these questions, as well as the relations that my competitor and myself respectively have borne, now bear, and will in the event of election bear to the great issues of the day and the great interests of the American people. You understand now that I am for the war; that I regard it as the only way to enduring peace; that I will support it by every word I may utter and every vote I may give; that I will not consent to its suspension until those who have arrayed themselves in arms against your Government, your rights, and your interests have all laid down their arms and acknowledged the supremacy of the Constitution of our country throughout its broad limits. You have also learned that my distinguished competitor is the apologist for the rebellion; that he finds in the fact that the people of New England will think and will utter their thoughts a justification of the rebellion on the part of the Southern people; that he believes that the war has been conducted unconstitutionally, and ought to be arrested, so as to give the rebels time to consider whether they will lay down their arms; and that he believes the Government has not acted wisely in international affairs, and condemns its course in regard to the Monroe doctrine, about which it has not acted at all, and the Trent case.

His argument touching the Trent affair did not strike me as possessing the same originality with which it may have struck you. I had heard it before. I had the honor of replying to it on the floor of Congress, on the 7th of January, 1862, when it was uttered by the gentleman's great prototype, Clement L. Vallandigham, of Ohio. He, too, thought that we ought to have gone to war with England about the Trent case. He, too, taunted the supporters of the Administration with the fact that Congress had adopted a resolution of thanks to Commodore Wilkes, and that the Secretary of the Navy had written him a letter of qualified commendation, and yet that the prisoners whom he had arrested had been surrendered. I have no doubt that my friend put his argument as powerfully as Vallandigham did, but, as I say, it did not impress me so much, because it was not so novel as when I heard it from the lips of that eminent McClellan Democrat. I have here a copy of the brief speech which I made on that occasion, the first of my Congressional efforts, and I propose to answer my friend as I answered his friend Mr. Vallandigham. On the 7th of January, 1862, I said:—

"I voted in common with the whole House for the thanks to Captain Wilkes. I know that since then the four persons he captured have been surrendered, yet I do not regret that vote. It was well cast, and I do not mean to say that the surrender was not well made. Captain Wilkes was an experienced officer of our navy—a service deeply disgraced by a want of devotion to their country on the part of many of its officers. He saw what he believed to be his duty, and he paused not to consider whether it involved personal consequences, but, as he understood it, performed that duty; he performed it in a manner creditable alike to his head and his heart; firmly, thoroughly, but in a manner marked by humanity and consideration for the feelings and interests of innocent passengers on board the Trent and the necessities of an age of steam navigation. Congress, without qualification, indorsed that act. Not so with the Administration." (My friend said that the Administration had approved the act.) "While the Secretary of the Navy approved the act, he admonished the actor that it must not be considered a precedent for the surrender of another vessel under like circumstances. The Administration saw that Captain Wilkes's act of humanity might be taken advantage of by such a power as England, and it marked at once its discriminating appreciation of the conduct of its officer, and of the nation with which it had to do, by the just qualification of its approval. As a member of the American Congress I do, from the bottom of my heart, thank Captain Wilkes for his gallant and humane conduct."

"The gentleman from Ohio [Mr. Vallandigham] seems to be eager for a war with England. Sir, war is as dire a calamity as can befall a people. It is the most expensive game at which kings can play; the most destructive pursuit in which a people can engage. The figure of a candle lighted at both ends affords but an imperfect illustration of the wastefulness of war."

I closed these remarks on the 7th of January, 1862, when Geo. B. McClellan commanded our army, by saying:—

"I thank the Government that, in the hour of its agony, it stood upon our historical doctrine. I thank it that it honorably avoided war with England; and I pray God that it may so far read the laws of war as to learn that it is the duty of Congress, the Generals at the head of the several columns of the army and the Government of the United States, *to cut off all the resources of the rebels now in arms against us.* It is the first and last law of war. Its thorough enforcement is called for by all the promptings of patriotism and humanity, and promises internal and external peace to our distracted country."

Now, what was the Trent case? A mail steamer in the British service carried two ministers of a power that had been recognized by England as a belligerent power—the rebels in arms against our government. Commodore Wilkes brought that vessel to; he found that it had a mail and a very large number of passengers hastening on various duties over the ocean. He took from on board the rebel commissioners and their secretaries, and then let the vessel continue its voyage. No good lawyer doubts that, had he detained vessel, passengers and all, his act would have been strictly legal. But from considerations of humanity to the passengers, he permitted the vessel to go its way, taking from it those who were contraband, and whose presence would have justified the seizure and detention of the vessel. By so letting the vessel depart he brought the case within the law of search, against which our war of 1812 had been waged, and did an act in violation of the precedents of American history. Our government knowing that they could not fight the rebellion and England at the same time—knowing that to go to war with England would be to cause the division of our country and establish on our frontier a hostile confederacy, and further, and more important in this connection, that they would be fighting such war with England in the very teeth of the doctrine on which we fought the war of 1812, William H. Seward, Secretary of State, vindicated the traditions of our history by saying that he still stood for the freedom of the seas, and against the right of search, and that Admiral Wilkes had made a mistake, not in arresting the vessel, but in letting it go, and so bringing the case within the condemnation of our own doctrine. Thus the matter was settled.

My friend would, undoubtedly, have rejoiced—peace man as he is, and opposed as he is to the use of bayonets—had we become involved in a war with England, because war with England, whose base of supplies would have been on the Canada side of the lakes, would probably have established the Southern Confederacy, for which he has such acute sympathy. You remember how he has poured out floods of sympathy for the Southern people. How he painted their desolated fields, their roofless homes, and even went so far as to call our army a band of freebooters, and charged them with having stolen the slaves, silver, horses, and other property of those towards whom his sympathies flow so exuberantly. He appealed to us in God's name, to say whether the time had not come when we should pause in our triumphal career, and give them time to think. I shall not answer his appeal, but a greater than I will. Gen. William T. Sherman, who was at the head of a Southern military academy when secession and war were determined upon, and who resigned his position because he owed allegiance to the Constitution and flag of his country, has recently had a correspondence with Gen. Hood, of the Confederate army. Gen. Sherman does not agree with my distinguished competitor in considering the fact that men of New England will think and will speak their thoughts, a just cause for this war. In the first letter to which I shall call your attention, he makes this rejoinder to Gen. Hood:—

"In the name of common sense, I ask you not to appeal to a just God in such a sacrilegious manner. You, who in the midst of peace and prosperity, have plunged a nation into war, 'dark and cruel war,' who dared and badgered us to battle; insulted our flag; seized our arsenals and forts that were left in the honorable custody of a peaceful ordnance sergeant; seized and made prisoners of war the very garrisons sent to protect your people against negroes and Indians; long before any overt act was committed by the (to you) hateful Lincoln Government; tried to force Kentucky and Missouri into rebellion despite of themselves; falsified the vote of Louisiana, turned loose your privateers to plunder unarmed ships, expelled Union families by the thousands, burned their homes, and declared, by an act of your Congress, the confiscation of all debts due to Northern men for goods had and received! Talk this to the marines, but not to me, who have seen these things, and who will this day make as great sacrifice for the peace and honor of the South as the best Southerner among you."

It appears from this that Gen. Hood hates the "Lincoln Government" almost as badly as my competitor. But Gen. Hood, finding that he could make no more out of Sherman with his pen than he had with his sword, sent the Mayor and Councilmen of Atlanta to him, to request him not to send the women, old men, and children out of the city. These rebel functionaries appealed to Sherman, just as my competitor appealed to you last night. They were defending the same bad cause—that of the Southern Confederacy against the North and its people,

and the flag and Constitution of the country. The identical appeals that were made by those Confederate rebels have been made here by my distinguished friend, whose sympathy with them is so unbounded. But let Sherman demonstrate this:—

"HEADQUARTERS MILITARY DIVISION OF THE MISSISSIPPI, IN THE FIELD, ATLANTA, Sept. 12. 1864.—*James M. Calhoun, Mayor, E. E. Rawson and S. C. Wells, representing City Council of Atlanta.* GENTLEMEN: I have your letter of the 11th, in the nature of a petition to revoke my orders removing all the inhabitants from Atlanta. I have read it carefully, and give full credit to your statements of the distress that will be occasioned by it, and yet shall not revoke my orders, simply because my orders are not designed to meet the humanities of the case, but to prepare for the future struggle in which millions, yea hundreds of millions, of good people outside of Atlanta have a deep interest. We must have peace, not only in Atlanta, but in all America. To secure this we must stop the war that now desolates our once happy and favored country. To stop war we must defeat the rebel armies that are arrayed against the laws and Constitution which all men must respect and obey. To defeat these armies we must prepare the way to reach them in their recesses, provided with the arms and instruments which enable us to accomplish our purpose.

"Now, I know the vindictive nature of our enemy, and that we may have many years of military operations from this quarter, and therefore deem it wise and prudent to prepare in time. The use of Atlanta for warlike purposes is inconsistent with its character as a home for families. There will be no manufactures, commerce, or agriculture here for the maintenance of families, and, sooner or later, want will compel the inhabitants to go. Why not go now, when all the arrangements are completed for the transfer, instead of waiting until the plunging shot of contending armies will renew the scenes of the past month? Of course I do not apprehend any such thing at this moment, but you do not suppose this army will be here till the war is over? I cannot discuss this subject with you fairly, because I cannot impart to you what I propose to do; but I assert that my military plans make it necessary for the inhabitants to go away, and I can only renew my offer of services to make their exodus in any direction as easy and comfortable as possible. You cannot qualify war in harsher terms than I will.

"War is cruelty, and you cannot refine it; and those who brought war on our country deserve all the curses and maledictions a people can pour out. I know I had no hand in making this war, and I know that I will make more sacrifices than any of you to-day to secure peace. But you cannot have peace and a division of our country. If the United States submits to a division now, it will not stop, but will go on till we reap the fate of Mexico, which is eternal war. The United States does and must assert its authority wherever it has power; if it relaxes one bit of pressure, it is gone, and I know that such is not the national feeling. This feeling assumes various shapes, but always comes back to that of Union. Once admit the Union, once more acknowledge the authority of the National Government, and instead of devoting your houses and streets and roads to the dread uses of war, I and this army become at once your protectors and supporters, shielding you from danger, let it come from what quarter it may. I know that a few individuals cannot resist a torrent of error and passion such as has swept the South into rebellion; but you can point out, so that we may know those who desire a Government, and those who insist on war and its desolation.

"You might as well appeal against the thunder-storm as against the terrible hardships of war. They are inevitable, and the only way the people of Atlanta can hope once more to live in peace and quiet at home is to stop this war, which can alone be done by admitting that it began in error, and is perpetuated in pride. We don't want your negroes, or your horses, or your houses, or your land, or anything you have; but we do want and will have a just obedience to the laws of the United States. That we will have; and if it involves the destruction of your improvements, we cannot help it. You have heretofore read public sentiment in your newspapers, that live by falsehood and excitement, and the quicker you seek for truth in other quarters the better for you.

"I repeat, then, that, by the original compact of government, the United States had certain rights in Georgia which have never been relinquished, and never will be; that the South began war by seizing forts, arsenals, mints, custom-houses, etc. etc., long before Mr. Lincoln was installed, and before the South had one jot or tittle of provocation. I, myself, have seen in Missouri, Kentucky, Tennessee, and Mississippi, hundreds and thousands of women and children, fleeing from your armies and desperadoes, hungry and with bleeding feet. In Memphis, Vicksburg and Mississippi, we fed thousands upon thousands of the families of rebel soldiers left on our hands, and whom we could not see starve. Now that war comes home to you, you feel very different—you deprecate its horrors, but did not feel them when you sent car loads of soldiers and ammunition, and moulded shells and shot, to carry war into Kentucky and Tennessee, and desolate the homes of hundreds and thousands of good people, who only asked to live in peace at their old homes, and under the Government of their inheritance. But these comparisons are idle. I want peace, and believe it only can be reached through Union and war, and I will ever conduct war purely with a view to perfect an early success.

"But, my dear sirs, when that peace does come you may call on me for anything. Then will I share with you the last cracker, and watch with you to shield your home and families

against danger from every quarter. Now, you must go, and take with you the old and feeble; feed and nurse them, and build for them in more quiet places proper habitations to shield them against the weather, until the mad passions of men cool down, and allow the Union and peace once more to settle on your old homes at Atlanta.

"Yours, in haste,

"W. T. SHERMAN, Major-General."

Does not that letter respond most aptly to the fervid appeal with which my friend closed his last address? The traitors who drew that letter from Gen. Sherman must have uttered just the appeal by which he attempted to induce you to consent to peace and separation, or peace even if it involved separation.

I am for sustaining Sherman. I am not in favor of an armistice and of giving back to the freebooting Confederacy, with which we were threatened, the fifteen guns that Ord took yesterday, or those that Birney may take in his march toward Richmond; for the news is that Grant has flanked Petersburg, and is again onward to Richmond. Richmond is part of my country; and I want to visit it when the starlit flag again illuminates the dome of its Capitol. Now that we have got the issues involved in the war and coming election fairly stated and see that they are identical—now that you know my views and those of my friend as to the settlement of those issues, the time has come for me to answer his propositions and interrogatories.

To his first and second propositions he admits that I have replied. To the third, I made a partial reply; and at the risk of reiterating some of my remarks, I recur to it. It is this: "Whenever any department of government exercises any power beyond or antagonistic to the Constitution, it is revolution." I deny the proposition. Worcester defines a revolution to be "an extensive change in the political institutions of a country, accomplished in a short time, whether by legal or illegal means." Now, a single department of our government may perform an unconstitutional act that only one individual will feel; and that individual may, as I told you the other night, go into court and obtain redress. That would certainly not be a revolution. A President and his Cabinet might adopt a line of policy which a large number of men, even a majority of the people, would believe to be unconstitutional; and yet at the end of four years from his inauguration, the people could remove him, or they could impeach him through the two Houses of Congress. In either event, unconstitutional as his policy might be, it would not be a revolution. If the Southern members had remained in the House and the Senate, and Abraham Lincoln had done any unconstitutional act, they had the Senate so thoroughly, and so clear a working majority in the House, that they could have impeached him at any day during his Presidential term. It was only by their withdrawal that his friends obtained the control of Congress. As I have already said, our courts were established, and the power of impeachment provided, and elections ordered at brief intervals, to furnish certain remedies for any unconstitutional acts. We have, every two years, an election of Congressmen, and every four years an election of President, so as to enable the people to correct any error of that kind. Gen. Jackson removed the deposits from the Bank of the United States; and every member of that party of which my competitor was for a long time so distinguished an ornament—the old Whig party—howled that Gen. Jackson had violated the Constitution. Henry Clay, Webster, the Southern Whigs, the Western Whigs, all opposed that act as violative of the Constitution. I remember hearing David Crockett, George McDuffie, William C. Preston, and nearly a score of other members of that party speak at the Philadelphia Exchange, and denounce the unconstitutional acts of Andrew Jackson. Who says now that Andrew Jackson revolutionized the government? Will my friend say so? I would like to hear from him on that question. There was a disagreement as to what the Constitution meant, and it was executed as understood by those who were in power. It belonged to them to execute it, and they must be governed by their understanding—not that of others. Should McClellan be elected, the Democrats will construe it in the future "as in the past." That the people did not believe that Andrew Jackson had violated the Constitution is shown by the fact that they not only re-elected him, but elected Martin Van Buren, his nominee, to succeed him, whose pledge, made in his Inaugural, so satisfactory to the Democrats of the country, was that he would "tread in the footsteps of his illustrious predecessor."

To the Whigs of those days the acts of Jackson were unconstitutional, as those of Lincoln are to my friend and his brother Peace Democrats; but because the Whigs believed his policy to be unconstitutional, was it revolution? Will my friend tell you that it was? So of many acts and periods of our history to which I might refer you; but I select a very striking one. You can nowhere find in the Constitution (and I challenge my friend to point it out) authority given to the President of the United States to acquire territory without the consent of Congress or the people. Yet how did we acquire the Louisiana territory—comprising not only the State of Louisiana, but that magnificent territory sweeping northward from the Gulf to the Lake of the Woods, embracing in its amplitude Iowa and Minnesota as well as Louisiana and Mississippi? Did the people ever vote in favor of that measure? Did they elect a Congress to adopt it? No; the President of the United States, without authority, bought it from France, and agreed to pay \$15,000,000 for it. That President was not Abraham Lincoln; nor Wm.

Henry Harrison; nor either of the Adamses. He was Thomas Jefferson, the founder and father of the Democratic party; and his greatest biographer says that "he violated the Constitution to save the country," because the occupation of the Louisiana territory by a foreign power would have involved us in perpetual war. The Government that held that territory had the power to control the commerce of the Mississippi. You know how effectually that commerce was stopped when Vicksburg and Port Hudson were in the hands of those whose sufferings so touch the tender sympathies of my distinguished competitor. There was that river, with its great branches, more than 50,000 miles long, draining an empire that may hold five hundred millions of people—one branch, the Ohio, taking its rise in the prolific mountains of our own dear Pennsylvania—others rising in each of the Northwestern States—others rising in the Southern border-States. More than fifty thousand miles of river, more than thirty thousand miles of which have already been navigated by steam, were, or might be, locked up by the possession of the Louisiana territory; and Thomas Jefferson, regardless of the restraints of the Constitution, having an opportunity to buy that territory, when Napoleon felt that by selling it he would aggrandize the future commercial rival of England, and supply himself with "the sinews of war," bought it for the American people; and so Thomas Jefferson became the benefactor of his country and of mankind by transcending the restraints of the Constitution. My distinguished friend would have you vote for him that, in Congress, he may vote to give the fairest and most important part of that same territory to a foreign Confederacy, and so again lock up the commerce of the Mississippi Valley and the Northwest! He now, by the terms of his proposition, denounces Jefferson's act as revolutionary.

I thus deny the gentleman's third proposition, and show that it is preposterous. You might as well say that, because one hob-nail has come out of your coarse boot, it is, therefore, no longer a boot. This would be quite as logical as my friend's proposition and argument. As Thomas Jefferson saved the country by one act transcending the Constitution, so, in time of war, does it become the duty of the President to pursue a similar course, should the necessity arise. You have no right to set fire to a man's house, though you be the Mayor of the city, or though you be the Chief of the Fire Department, in consultation with the Mayor. You have no right to break open a man's door and go into his house; but there may arise a necessity which will justify you in blowing up the one or breaking into the other.

There is, as Douglas demonstrated, such a thing as a necessity. You see a house on fire. You discover it by the fact that smoke is pouring through several crevices. In the neighborhood is much inflammable matter—a board-yard, or a large number of frame buildings. You do not stop to ask who is the owner of the house, and to travel to a neighboring town or distant watering-place to obtain his consent to go in; but, regardless of the Constitution and the laws, you burst in the door, and enter and extinguish the fire. You take the risk of being sued for a violation of the law. Take another case. A large portion of the city is in flames in its most compact part. There are no steam fire engines. Your firemen are exhausted; your supply of water is giving out. There must be a wide space put between the flames and the remaining portion of the city. You have no right to blow up a man's house. There is great probability, but as the wind may change, not absolute certainty, that it will be burned. But you see that there is a probability of it so great that the law will justify you in carrying kegs of powder into the cellars and blowing up every house in a whole block, or two blocks, that you may save the remainder of the city. Not only may the Mayor or the Chief of the Fire Department do this, but private citizens. But with armed scoundrels burning our villages as they burned Chambersburg—with armed scoundrels fighting us on our own soil, as they fought us for three days at Gettysburg—my friend protests that he does not like the use of bayonets, and thinks that we had better put them aside, for fear that we may violate the Constitution and consummate a revolution. If you re-elect me to Congress again, may Heaven blast me if I vote to put aside the bayonet while one man bares his breast to it in antagonism to our country, its unity, Constitution and flag.

The next proposition of my friend is that "a successful revolution against the Constitution by those in power subverts the principles of our government, produces anarchy, and establishes a despotism." Now, that is a pretty hard proposition to answer, for I cannot discover whether it is transcendentalism, metaphysics, or nonsense, and am going to submit the question to you. "A successful revolution against the Constitution by those in power subverts the principles of our government." Why, certainly, a successful revolution overthrows the Constitution; and where do you find the principles of our government if not in the Constitution? That is equivalent to saying that "to subvert the government is to subvert the government, and to make a revolution is to make a revolution." That is all that I can make out of it. "A successful revolution against the Constitution by those in power subverts the principles of our government." Certainly it does. Who disputes it? When I tell you that for the sun to rise is for the sun to go up, I do not raise a question for argument between us; and when my friend tells me that "a successful revolution subverts the Constitution," he tells me that the sun rises by going up. That is perfectly clear. I admit it. But then he adds, "produces anarchy and establishes a despotism." That is, if a thing is done, when done, it produces two conflicting results which cannot coexist. Where there is anarchy, there is not despotism, because despotism is the strong hand that suppresses anarchy; and where there is despotism,

there is not anarchy, because there is despotism its antithesis. So I admit, first, that a thing is a thing, that a revolution is a revolution, that the subversion of the Constitution is the subversion of the Constitution; but I deny that it produces the two opposite results, anarchy and despotism. This is the answer I make to that proposition; and if that answer is not satisfactory, I will try it again, if the question is renewed with explanations of its meaning.

The gentleman's fifth proposition is, that "the theory of the equality of the negro with the white man is not a justifiable principle of revolution." I ask my friend whether I state his proposition correctly; I have it as the reporters took it down. [Mr. Northrop assented.] Now, for my life, I do not know what a "principle of revolution" is. I referred to the dictionary this afternoon, in order to ascertain. I know that a revolution is a turn, and I can understand that there may be spokes in that which may revolve; I can perceive the tire that revolves with a revolution. I can understand a revolutionary principle, a principle the adoption of which will produce revolution; and I can understand a cause of revolution; but, upon my word, I cannot understand the phrase "a principle of revolution." If, therefore, I fail to answer the proposition, I trust it may be renewed in a more definite form, so that I may answer it, for I wish to do so, and it is only because I am befogged by the phraseology that I do not in a way that would be more satisfactory to my friend. But let me, before leaving the subject, ask if the gentleman means to say that "the theory of the equality of the negro with the white man is not a justifiable *cause of revolution*?" If he does, I agree with him. I also assert that, under our Government, we can have no justifiable cause of revolution, because there are open courts, frequent elections, peaceable means of amending the Constitution, and the right to impeach every officer under the Government. I say, therefore, that nothing can give the citizens of this country the right of revolution. To the people under all other forms of government the right of revolution belongs, for they have not access to the courts in which laws of their own making are administered; they have not universal suffrage and frequent elections; they have not the right to impeach their kings, for the doctrine that lies at the foundation of royalty is that the king can do no wrong. Therefore the people under other forms of government have the right of revolution. No, neither the desire to promote negro equality, nor the desire to prevent negro equality, is a justifiable cause of revolution. My answer, then, to the fifth proposition is, that, if the gentleman means what he does not say, that the theory of negro equality is not a sufficient cause for revolution, I agree with him.

I have thus, as satisfactorily as I can, disposed of my friend's propositions. I have meant to do it candidly, and I hope I have done it thoroughly. Now come the questions.

The first question is, "Are you in favor of the restoration of the Union of these States with their rights and powers as they were at the breaking out of this rebellion?"

I begin by asking, what States? What States? Is South Carolina still a State in the Union? If she is, all that she has to do is to lay down her arms, convene her Legislature, elect two Senators, divide the State into Congressional Districts under the last census, and authorize her people to elect the number of Representatives to which she is entitled, and send them to Congress; and there will be an end of the question. If South Carolina and the rest of the rebellious States are not States of the Union, how did they get out? If they are out, they are out because their people are rebels and traitors, and they must be brought back; and I am not in favor of bringing all the old States back with "their rights and powers as they were at the breaking out of the rebellion," and of pledging myself to consent to no other method for the reconstruction of the Union. Treason is the highest crime known to human law; and a traitor is the worst of criminals. I am not, for instance, in favor of punishing the loyal and patriotic people of West Virginia to gratify the armed traitors of East Virginia. I am not in favor of surrendering Andrew Johnson, Horace Maynard, Parson Brownlow, and the patriotic citizens of East Tennessee to the tender mercies of the rebels in arms in the western part of that State. I am in favor of meting out to the traitors such punishment as shall give protection to the Southern men, who, in spite of James Buchanan's threat and the barbarous inhumanity of the rebel leaders, stood true to our country and our flag, and love that country and its institutions as we love them. No, I am not in favor of bringing those States back with all their rights as they existed before their people began this war. Shall we force Maryland, which has abolished slavery, to re-establish it. Shall we force the people of West Virginia and Missouri to catch the slaves they have liberated and reduce them again to bondage? Shall we force them to have slavery whether they will or not? Will my friend show how we can do it, and what clause of the Constitution provides for such a case?

Unless we can and will do all this, we cannot possibly restore the Union as it was, or bring the States back with what my friend considers all their rights. Mr. Jefferson Davis, the leader of his political school and party, would tell you that it was the right of Mississippi to have the Union so constructed that the Slave Power would always have a preponderating influence in both Houses of Congress. It is the theory my friend has accepted and defends. That is his theory, and that was John C. Calhoun's theory. With Maryland free by the choice of her people—with West Virginia free by the choice of her people—with Missouri free by the choice of her people—with new States created during these four years—we cannot, if we would, establish the Union as it was. I ask the gentleman are you in favor of setting the hand of time back four years? Have you the power of restoring to life the Pennsylvanians

who have died in defence of the Constitution of your country? Unless you are in favor of doing this, and can show how it may be done, your first question is as preposterous as your last proposition. You ask whether I am in favor of doing that which Omnipotence itself cannot do. The All-Powerful One may arrest the sun, but he cannot recall the last four years, and turn us, who are now getting to be old men, back into the vigor of life.

I am in favor of establishing a Union of American States under the Constitution; and whenever the people of Virginia, or any other State, will lay down their arms and present themselves with a State Constitution to Congress, I shall be prepared to vote upon the question. The constitution of Virginia is gone. The people met in Convention and abolished it. The ligaments that bound them to the United States Government were their Senators, their members of Congress, the Judges of the District Court of the United States, their United States custom officers, postmasters, and marshals; and the State of Virginia turned these all out. For four years, she has not elected Senators or Representatives to the Congress at Washington, but has elected both Senators and Representatives to the Congress at Richmond. She has expelled from her limits the Judiciary of the United States. Though Abraham Lincoln, in his inaugural, promised that the mails would be sent there as long as she would receive them, she has not permitted the receipt of the United States mails within her limits. She has abolished the State of Virginia which Washington helped to form. When her people, tired of the war, resume their peaceful avocations, adopt a Constitution providing for the election of Senators and Representatives to the Congress of the United States and ask the United States Government again to put her in a judicial district, and to establish custom houses and post offices within her limits, I shall be ready to vote to admit her. She cannot come back with slavery, not because I say so, but because her people hold no slaves. Abraham Lincoln, by his proclamation, has enfranchised the slaves, and called them to our banner to sustain our country, on the ensanguined field of battle. I admit here, with the gentleman, that it will be a question for the courts of the United States to decide, whether that proclamation makes them free or not. But in the meanwhile, they are learning to read and write; they are acquiring the habits of freemen; they are learning to use arms; and the slave that can read and write is more dangerous than the slave that can shoot. It is mental, not muscular power, that exalts the slave into the freeman. Our Philadelphia Quakers, in organizing schools in Northern Virginia, and at Norfolk, and wherever our victorious armies establish a post, are making the re-enslavement of those laboring people an impossibility under the providence of God.

I take up now the gentleman's third question, instead of the second, so that he may reply to me this evening. That question is in these words: "Do you approve of the twenty-three acts of Congress, each having for its object the *declared purpose of giving to the negro all the rights, immunities, and privileges heretofore enjoyed by the white man only?*" I answer by saying that no such act has been passed. I answer by saying that if such an act had been presented to Congress of the United States it would have been rejected as ridiculously absurd. The question as to who shall be citizens belongs to the State, and not to the United States government. In Massachusetts the negro is a citizen. In Pennsylvania he was a citizen and had the right to vote until 1838, when in the Convention to amend the Constitution the word "white" was (on motion of Mr. Benjamin Martin, from the first district of Philadelphia) inserted in the clause prescribing the qualifications of voters, so as to make it read "every white freeman." Our State Constitution does not deny citizenship to the negro, but it restricts the privilege of voting to the free white citizens. So the State of New York allows part of her colored people to vote, and denies suffrage to the remainder; that is, every colored man who is a freeholder to the amount of \$250 has the right to vote. An act of Congress proposing to prescribe who should vote and who should not vote in any State of the Union, would be ridiculed from the doors of the room of the Judiciary Committee. The man who would introduce into Congress such a bill would be laughed at with a universal and loud guffaw; for Congress has no more to do with this subject than the British Parliament or the French Senate. I therefore ask the gentleman to point to any one such act as his question describes, and I will give him a couple of minutes of my hour, to enable him to indicate it when he shall have looked over his digest and found it.

[Mr. Northrop followed in a speech of one hour and a half.]

Judge Kelley replied thus—A very distinguished clergyman once said, "I can never paint a great scoundrel in any of my sermons, but, at the close of it, some fool jumps up and says, 'He means me.'" Because the supporters of the Administration, in procession, carried a banner with the maxim, "A free ballot for loyal men, and a free fight for traitors," the gentleman and his friends jump up and say, "that means us; and therefore," say they, "These Sons of Liberty in Indiana, whose Grand Commander is to command the military forces of all the States when in actual service, were organized." Thus they understand the sentiment—a free ballot for the men of the North, and a free fight with the traitors who burned Chambersburg and fought us at Gettysburg. Must the gentleman and his friends assume that they are aimed at whenever the word "traitor" is uttered?

I have a little cause to complain of the gentleman, that he will not listen to me. The other evening he denied that I had answered his third proposition, or said anything about it; yet

the report made by the gentleman who sits at the table has shown that I had answered it somewhat elaborately. He says now that I said I had looked at the dictionary to find that a revolution means the turn of a wheel. I treated his propositions with more respect than that. I said that Worcester defined a political revolution as "an extensive change in the political organization of a country, accomplished in a short time, whether by legal or by illegal means." I read that definition which contains nothing about a wheel. I did not say that I had derived the idea of a wheel from a dictionary. I spoke of seeing a tire make a revolution with the wheel that it bound together.

These are but trivial complaints—not half so grave as those which we have sometimes made against each other at the bar, when we have parted good friends, or left the Court-room to eat a steak together. Our differences are all political.

I again recur to the gentleman's interrogatory which I was discussing when I took my seat, and which he has undertaken to vindicate by an appeal to a law book. That interrogatory is in these words: "Do you approve of any or all of the twenty-three acts of Congress, *each* having for its object the declared purpose of giving to the negro *all the rights, immunities, and privileges* which have hitherto been enjoyed by the white man only?" The proposition does not state that those acts give to the negro some of the immunities and privileges of the white man, as my friend has argued. It states as a fact that Congress has passed twenty-three acts, each of which has for its declared purpose the giving to the negro "all the rights, privileges, and immunities hitherto enjoyed by the white man only." I renew my challenge to the gentleman to point to one such act. I say boldly that he cannot do so, for none such exists; and I say that the assertion contained in that question is utterly incorrect, and without foundation. There is the statute-book; let the gentleman point to the first of them.

The gentleman referred to three acts, and, in God's name, I ask him whether he objects to any one of them. The rebel masters of more than a million of slaves have run away and left them in the ignorance and poverty to which their inhumanity had doomed them. The man, woman, or child who had under their infernal code attempted to teach one of the slaves to read the Lord's Prayer would have been liable, in every one of the slave States, to imprisonment as a felon. They have never been allowed to own a dollar's worth of property. Without knowing one letter or figure from another, without having a change of clothing, having been trained by their masters to the most menial occupations only, they are turned adrift upon the world by the war made by the rebels upon the best government with which God ever blessed man. And in proof of the fact that there are twenty-three acts of Congress giving to the negro all the rights which the white man has heretofore possessed, the gentleman points to an act incorporating a body of white men and women into an association for the relief of destitute women and children! Good God! is it a crime to relieve the sons and daughters of slave-owners, because they were not born in wedlock and were begotten of black women? Is it a crime before God or man, in this America of ours, to charter benevolent people to take care of poor old women and children, and is that investing the negro with "all the rights, privileges, and immunities heretofore enjoyed by the white man only"? Where, where, sir [addressing Mr. Northrop], is that Christianity to which you have so often appealed—the religion of the Prince of Peace, of whom you have spoken? Where dwells his influence in your heart, when you can censure those who, finding destitute, ignorant, stricken women and children, friendless, homeless, and without a guide, charter a few good people to care for them in their misery and give them guidance for the future? I did vote for that act; and may God grant that you and your party may not have the power to repeal it, and cast those stricken ones again upon the world!

The second act to which the gentleman referred, was to incorporate an association to educate colored youth! As I heard the gentleman denounce that act, I remembered a visit which I once made to your county prison, when I was, by virtue of my position, an official visitor. I was accompanied by three ladies, one of whom was Mrs. Tyndale, then the chief of the china store in Chestnut street, above seventh. When we stood before one of the cell doors, a large negro came to it, who, after looking at the ladies, turned on me and said: "Mr. Kelley, you oughtn't to have convicted me for stealing that coat. I didn't steal it." "Yes, you did," replied I, "or the jury would not have convicted you." "No, sir," he answered, "I didn't steal that coat." "Well," said I, "satisfy me of that, and I will appeal to Governor Shunk, and get you a pardon." For I then held office under that Democratic Governor, and enjoyed his confidence. We were both staunch Wilmot Proviso men, and in favor of restricting slavery within its Constitutional limits. The Democratic party had not yet fallen down before the false god of human slavery, a system of labor without wages. "I don't want to be pardoned," said the negro. "Why, have you no wife?" asked Mrs. Tyndale. "Yes, ma'm, I have a wife." "Have you children?" "Yes, ma'm, two; and I love my wife and children just as well as Mr. Kelley loves his." "How long have you to stay here?" "Nine months more, ma'm." "And yet you don't want a pardon! I cannot understand it." "No, ma'm, I don't want a pardon, and I will show you why." He ran across his cell, and picking up a blue-covered book of about twenty-four pages, he brought it to the door of his cell. "There, ma'm," said he, is the reason why I don't want to go out. When I come in here, I didn't know one letter from another; and now I can read all the way through that book,

every word of it ; I can read a newspaper when a gemman gives me one. To-day, Mr. Woolston (the moral instructor) is going to bring me a new book. In nine months more I can write and cipher some ; and when I go out I can read the names on the signs, and I can read what is on the letters and bundles, and I can make an honest living for my wife and children as a porter. I couldn't do that before, because I just come out of slavery, and didn't know one letter." Then turning to me with a smile that made the negro's face almost beautiful, he said, "Mr. Kelley, I did steal that coat; but with reading and writing, and being able to earn an honest living, I trust to God I'll never steal another coat."

Yet the gentleman has denounced us for having incorporated an association of white men to educate colored youth ! I ask the gentleman whether we were not blessing our country by aiding to give the simple power of elementary knowledge to four millions of our people, or so many of them as might come within the influence of such associations. Is ignorance a blessing to our country ? If it is, my Democratic laboring man, why do you send your children to school ? Are the ignorant and the depraved and those who are shut out from intellectual enjoyments and employment good citizens ? Is it not such, whether white or black, that swarm into your alms-houses and jails ? Were we not, then, when we incorporated an association to educate the poor youth of the District of Columbia, doing a service to civilization and exalting the character of the American people ? If you want a black servant, is it not better that he should be able to read and write, that he may carry your parcels correctly—that he may, as that poor fellow in jail said : "Read the signs over the doors, and upon the street corners?" Yet an act by which white men are authorized to teach colored boys to read is denounced by the gentleman as one of the Lincoln outrages upon the Constitution.

My friend referred to a third act—and when he got to that he staggered. Devoted as he is to his party, he said to himself, "My God ! this won't do, this is proclaiming our inhumanity too plainly," and shut up the book and left the other twenty acts behind. The third act to which he objected was "An act to incorporate the St. Ann's Infant Society." If the gentleman and his party get into power, I suppose they will let the infants die in the street and the gutter, and not allow them to go into the institution of the St. Ann's Society, where they may be cared for.

These are the three horribly criminal enactments which the gentleman recites to prove that we have passed twenty-three acts designed to confer on the negro "all the rights, privileges, and immunities hitherto enjoyed by the white man only." Oh, my honest Democratic friend, let me tell you this is the way in which your leaders are deceiving and humbugging you. They attempt to make you believe that when we speak of the traitors of the South, we mean you ; that when we make provision for orphan and destitute infancy and childhood, we are trying to reduce you to an equality with the Southern slave. Think of these things, think of them prayerfully. Reason with yourselves as to what is your duty to your country and to mankind. Remember that in the veins of these poor negroes flows the very best blood of the white men of the South. Remember that 81 per cent. of the free negroes of Louisiana have white blood in their veins. Remember that 78 per cent. of the free negroes of Alabama have white blood in their veins. Remember that more than one out of every ten of the four million Southern slaves has had a white father, if not a white grandfather. The Yankees from New England have not gone down there to spend a night in injecting that white blood into their veins. It has been the slaveholder, and the overseer, and the distinguished Democratic visitor to the head of the plantation that have done it. Remember that that eminent Virginia Democrat, but whilom leader of the New York Democracy, John A. Andrews, who seconded Seymour's motion to his "friends" in the midst of the riot, was, when arrested by the officers of the law, to be conveyed to Fort Lafayette, wrenched from the embrace of a negro woman with whom he was living, while his white wife and their children, abandoned by him, lived elsewhere.

My friend's question which I was considering was this : "Do you approve of any or all of the twenty-three acts of Congress, each having for its object the declared purpose of giving to the negro all the rights, immunities, and privileges which have heretofore been enjoyed by the white man only?" I say to him again, show me the first act of the kind described, or withdraw your assertion. Admit your mistake, or let me prove it. I voted for every act that the Lincoln party passed, and if you can show one of them that goes as far as you allege, hold me responsible for it. I went to Congress determined to sustain the government, and I voted for every act that a majority of its friends adopted ; and in so far I am responsible for all those acts which go to ameliorate the condition of the negroes, abandoned by their masters, and all those who, under our flag, are helping us whip the rebels who involved us in war by invading our country. There are 200,000 stalwart negroes fighting our battles. I voted to enlist them ; I voted to equip them ; I voted to pay them ; and I do not see now, my fellow citizens, that it is not better for each of you that those colored men should be there fighting than that you should be. I do not see why you, young man, should be dragged from your home, your profitable employment, and the girl of your heart, to save the rebel's slave from death. I do not see, father, why you should surrender your son, when there is a stalwart negro, now digging and ploughing for the rebellion, who is willing to take his musket and fight to save your son's life and our country. Yes, I voted to put the negroes under arms ; I voted to pay and clothe them. I voted for orphans' asylums and for infants' homes, and for

schools for youth, that history might not point at us as a nation who had used a race of men to fight our battles, and permitted their neglected wives and children to starve or freeze to death upon the public highway.

The second question is in these words: "Do you regard as constitutional, and do you approve of, the exercise of the military and civil power of the Federal Government, to create and establish new States out of parts of the old ones?"

The military power has never been so used. The military power has never been so attempted to be used. When the people of any large body of territory—large enough for a State, and having on it sufficient population for a State—determine to come back into the Union, I do believe in allowing them to organize a State government, to elect United States Senators and Representatives in the usual mode; and if there should come before the next Congress a State made up of a part of South Carolina, a part of Georgia, a part of North Carolina, and if it were possible, a part of Virginia, embracing territory upon which there were half a million of people living, who had succeeded in establishing their freedom from the rebellion, as the people of West Virginia have done—if such a body of people thus situated should come and ask us to accept them as a State and accept their constitution as a constitution, I would vote for the admission of that State. I would not say to the people who lived in that part of South Carolina, "No, you must go back and enjoy the tender mercies of your old masters, the tyrants of South Carolina." I would not say to the people of the other States, "No, we won't take you until you can coax all the rebels to come in." I am for reconstructing just as rapidly as possible, until we get the whole territory that belongs to us covered by States—States made up of loyal men, who will stand by the flag, the Constitution and the unity of the country; and I will not, to gratify a few aristocratic South Carolinians, or Virginians, or Mississippians, say to five hundred thousand loyal people, "No; you are the slaves of those rebels; and for fear of offending them we will not recognize you." I will not do it, sir, and I do not believe that the people of the Fourth District would approve of the act of their representative who might do it.

I am for reconstruction by the free volition of the people, and I care not whether they maintain old State lines or make new ones; whenever the people want to come back, lay down their arms, organize a State Government, adopt a Constitution, elect Senators and Representatives to the Congress of the United States, invite us to send our custom system and our postal system into their territory, I am in favor of readmitting them; and God send that at the next session all of them may come back in that way! And if Grant goes on as he has been doing, if Sheridan goes on as he has been doing, if Sherman goes on as in the letter I have read to-night he declares his purpose to do, I believe, so help me God, that before the next session of Congress rises more than half of the rebel territory will be organizing for peaceful reconstruction. The only hope that is sustaining the rebels is a pledge that, if McClellan be elected, they are to have, for a period of months or a year, what McClellan gave Lee's army at Antietam—an armistice. When the sun went down, Lee was whipped, and in a position from which he could not escape. Fitz John Porter's corps of thirty thousand men had not fired a gun; their ammunition was intact; no one of them was wearied by a day's fighting; and had that corps been brought into action, Lee's whole army must have surrendered. But the General at the head of our forces gave them an armistice for twenty-four hours; and when he came to look for them at the end of that time, they were like that flea of which my friend spoke—they were not there. They had gone. Yes, the only hope that the rebels have sustaining them in this hour of trial is that McClellan may be elected, that his partisans may be elected to Congress in October, and that then, as the leaders promised Lord Lyons more than two years ago, there will be an armistice, which is equivalent to the recognition of the independence of the Southern Confederacy.

Under certain circumstances, I say, I do approve of the exercise of the civil power of the Federal Government to admit into the Union States established by the people out of part of the territory of any one State, or part of the territory of several States. The military power has never attempted to organize a State, and I therefore protest against the clause of the question that contains such an assertion.

The fourth question is in these words: "Are you prepared to declare yourself in favor of the military power as superior to the civil power, on the plea of military or any other necessity?"

I have already answered that question very fully. I am unwilling, except in cases of necessity, to supplant the civil by the military power. Where the civil power is adequate to meet the difficulty, I am in favor of meeting the difficulty by the civil power. But I remember that Washington suspended the civil power over and over and over again. I remember that, by his authority, many of the most distinguished people of Philadelphia were sent seventy miles into the interior (not by railroad), because they were believed to be in sympathy with Great Britain. Washington suspended the *habeas corpus*, and suspended civil rights time and time and time again; and he expelled from Philadelphia, sending them seventy miles into the interior, the grandfathers of some of the leading Peace Democrats of to-day, because they were peace men in that day, and wanted to go back into subjection to the British Government. Jackson, as I have shown you, suspended the civil power. Douglas defended

that act, and I will make no argument in its defence. I will simply urge you to read the thrilling sentences of Douglas in the remarks which I addressed to you, the other night, and which are now in pamphlet. There has never been a patriot in a country involved in war, who did not believe that, under "necessity," the civil power must at times be suspended.

The gentleman did not give me any additional light on his proposition in reference to "revolution." He says that resistance to the Government is revolution. I tell him that resistance to the Government is rebellion, and it never becomes revolution until the Government is overthrown. Revolution means going round; and, until a rebellion is successful, it is rebellion, and not revolution.

"Treason never prospers. What's the reason?
Whene'er it prospers, none dare call it treason."

When it prospers it is revolution; and, until it does prosper, it is rebellion. With a rebellion we are fighting; and that rebellion, if we want peace, honorable and lasting peace, we must crush.

Speech of Hon. Wm. D. Kelley, in the Northrop-Kelley Debate.

DELIVERED AT MANAYUNK, MONDAY EVENING, OCTOBER 3, 1864.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

Fellow-citizens: We have had, as my friend has said, four evenings of discussion elsewhere. I have not had, nor shall I during the debate, have occasion to give assurance to my auditors, that I am not apologizing for the Southern rebellion, as my friend has once or twice assured you. You will not so misapprehend my arguments as to suppose that they are uttered in advocacy of the rebellion. I shall apologize for no unconstitutional act of the rebels. I shall, so far as in me lies, vindicate the supreme majesty of the Constitution of our country. I shall demand the maintenance of the nation's unity from the Aroostook to the Rio del Norte, and from the Atlantic to the Pacific. I am for peace throughout the country—an honorable peace—an enduring peace—such a peace as can only be had when we shall have whipped Jeff. Davis and his minions, so that they shall lay down their arms and cry, as the Democrats of the North now do, for peace on any terms. And when we shall have done this, we will not only have peace in the country, but peace that will endure through all time; for ambitious men will then remember the fate of the rebels of 1861. We shall also have peace with foreign nations; for they will appreciate the convincing evidence of our power when we shall have conquered twelve millions of people, living upon their own soil, with a sea-coast more than two thousand miles in extent, in a war which they began when we were without an army, ours having been handed over by the Democratic administration to our enemies—with-out a navy, twenty-seven of our largest and best ships having been handed over to our enemies, by that same Democratic Administration, and the remaining vessels, all but the four smallest, having been sent to the most distant stations to which our naval vessels are ever sent; and without national credit, but with a bankrupt treasury. For during the last year of James Buchanan's Administration, it became necessary to borrow five millions of dollars to carry on the Government until the fourth of March. We had a little while before been paying our debt at a premium. We had been offering every bondholder twenty per cent. to allow us to cash his bond. Our country had been so prosperous that gold had flowed into our treasury beyond our ability to expend in constitutional and legal methods. Financiers and statesmen feared a commercial crisis as the result of the immense and increasing accumulation of gold in our treasury; and the Government, to prevent this, had offered a premium of twenty per cent. to every man who would bring forward his bond and have it cashed in gold. Yet, in less than one little year from that time, under Democratic rule, our treasury was exhausted, and it became necessary to borrow five millions of dollars to carry on the Government to the end of the term of that administration. Howell Cobb, the Democratic Secretary of the Treasury, advertised for a loan of that amount. Did he offer four per cent. interest on the loan? Ours is the most magnificent country God has ever given to any people. We had paid the Revolutionary War debt; we had paid the debt of the late war: we had been giving the people a premium to bring in the Mexican War debt, and have it paid. With all our resources, and with the credit that might have been expected as the consequence of the fact that we were the only nation of the world that had ever paid off its debt, did the Secretary of the Treasury offer four per cent. interest? Did he offer five per cent? For we had often borrowed money at both these rates? Or did he offer six per cent., the common rate of interest with us? No, my fellow citizens. In order to get money to pay his own salary, he offered to pay twelve per cent. interest for a loan of five millions of dollars. And how was it responded to? Did European capitalists take it all? Did Chestnut and Third streets and our banks monopolize it? Or did Wall street or State street step in and cut them out? No; every one of you remembers that we could not borrow the five millions from ourselves or the world at twelve per cent. There is not a business man here who does not know that the Democratic party in its last four years had so wrecked our credit that at the high rate of one per cent. a month the world would lend the United States Government but two millions and a half of dollars. Beginning this war, I repeat, with our army in the hands of the enemy; with our navy beyond our reach, or delivered to the enemy; with our Treasury bankrupt; with our credit destroyed, we have created an army and a navy; we have re-established our credit, so that when the Government the other day advertised for a loan of thirty-one millions of dollars,

sixty-five millions were offered, and the Government obtained the whole amount required at a premium of four per cent. People, even in the midst of our great war, have such confidence in the Administration, that they are willing to give \$104 for a hundred-dollar certificate of United States Loan. We have blockaded two thousand miles of sea-coast. We have conquered more territory than any other nation ever conquered in a war of ten years. And when we shall have finally conquered peace, the nations of the world will note what we have done, and say, "We must let those people of the United States alone." So that, when we attain the peace that I want, we shall have a peace which will be as enduring as our mountains, lakes, and rivers. I am for war as the only road to peace—war so long as an armed rebel desecrates our land. I have, on a previous occasion, ladies, come into this town of industry, to beg your husbands and sons to go to the field and fight for our common country, its Constitution and its flag; and God forbid that, having encouraged them to engage in this glorious work, I should be willing to surrender their graves to a foreign nation, so that in the hereafter their children would be obliged to crawl to them under a foreign flag. No! as God is my judge, I will, if the power be given me, support the prosecution of this war until every grave of a Pennsylvania soldier, whether it be in Louisiana, or in Texas, or upon the borders of our own State, shall be recognized as within the limits of the country of his children, and be protected and illuminated by the stars of their country's flag. No, I never will consent to sell the graves of your husbands and sons for a dastardly peace.

The gentleman told you that he has argued certain propositions, one of which is to the effect that a violation of the Constitution by a department of the Government is revolution. Then he went on to say that Mr. Lincoln has some how or other violated the Constitution. He has not, however, on any of the five evenings on which he has spoken, ventured to show the particular act by which it had been violated. I hope that he will be more generous here, and in his concluding remarks point out the violations of which he complains. He enunciates the proposition to which I have referred in the name of the Democratic party. I have brought with me a volume of the writings of the founder of that party, Thomas Jefferson, to show that he, with his eyes wide open, well knowing the fact, deliberately violated the Constitution to save the country from future war, and that he asserts that such acts must be done by the Executive at times. The gentleman would surrender to our enemies all the country lying south of the Potomac, and would then try to coax the traitors who have involved us in this war to reconstruct a Union. He would first surrender to them, and then say, "Well, now, what will you take to reconstruct?" Does not the gentleman know that before they undertook to divide the country, they said, "Give us a blank sheet of paper agreeing that we may write the terms on which we will remain with you, and we will not accept your proposition." They spurn you and me. They spurn you, laboring men of the North, as the "mudsills" of society—as "greasy mechanics"—as people more abject than their slaves. They have said all this in Congress. And they want to get rid of all connection with men like myself who have passed from the workshop to the floor of Congress, and like you who hope in your own persons, or in those of your sons, to rise in the social, political, or pecuniary scale of life. And they who thus hate us and denounce us as "mudsills" and "greasy mechanics," and who insolently told us that if we would let them write their own terms they would not consent to live with us—the gentleman would coax back, after we shall have surrendered to them at discretion and recognized their independence.

It was to acquire part of the territory my friend would thus surrender, that Thomas Jefferson violated the Constitution. I speak of what was known as the Louisiana territory. I have here the fourth volume of Jefferson's Complete Works, from which I will read you a brief extract from a letter written by Mr. Jefferson to Mr. Breckinridge, of Kentucky—not him who, as a leader of the Southern wing of the Democratic party, is now at the head of a division of the rebel army—who, finding that he could not beat us by voting, is trying to do it by fighting. Bad luck he has had at that business in the Shenandoah Valley, I tell you!

On page 498 will be found the following:—

"MONTICELLO, Aug. 12, 1803.—DEAR SIR: The inclosed letter, though directed to you, was intended to me also, and was left open with a request that, when read, I would forward it to you. It gives me occasion to write a word to you on the subject of Louisiana, which, being a new one, an interchange of sentiments may produce correct ideas before we are to act on them.

"Our information as to the country is very incomplete. We have taken measures to obtain it full to the settled part, which I hope to receive in time for Congress. The boundaries which I deem not admitting question, are the high lands on the western side of the Mississippi, inclosing all its waters, the Missouri of course, and terminating in the line drawn from the northwestern point of the Lake of the Woods, to the nearest source of the Mississippi, as lately settled between Great Britain and the United States. We have some claims to extend on the sea coast westwardly to the Rio Norte or Bravo, and better, to go eastwardly to the Rio Perdido, between Mobile and Pensacola, the ancient boundary of Louisiana. These claims will be a subject of negotiation with Spain, and if, as soon as she is at war, we push them strongly with one hand, holding out a price in the other, we shall certainly obtain the Floridas, and all in good time."

Now, you have an idea of the territory in question. On page 500 he goes on to say:—

"The Constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The Executive, in seizing the fugitive occurrence which so much advances the good of their country, *have done an act beyond the Constitution*. The Legislature, in casting behind them metaphysical subtleties and risking themselves like faithful servants, must ratify and pay for it, and throw themselves on their country for doing for them unauthorized what we know they would have done for themselves, had they been in a situation to do it. It is the case of a guardian investing the money of his ward in purchasing an important adjacent territory; and saying to him, when of age, 'I did this for your good; I pretend to no right to bind you; you may disavow me, and I must get out of the scrape as I can; I thought it my duty to risk myself for you.' But we shall not be disengaged by the nation, and their act of indemnity will confirm and not weaken the Constitution, by more strongly marking out its lines."

I quote Thomas Jefferson's deliberate letter to prove that the great founder of the Democratic party whose word to-day goes farther with it, or at least with honest Democrats—I will not say with the party, for its leaders and managers have abandoned all its doctrines—than the word of any other man to show that he knew he was violating the Constitution when he acquired Louisiana territory; but he knew also that he was saving the future peace of the country. Through the Louisiana territory flowed the Mississippi river, which, with its branches, extends more than 50,000 miles, one of these branches taking its rise in our own State. It drains the whole valley of the Mississippi. At that day there were no railroads; and that great valley, capable of supporting with comfort 300,000,000 of people, had no other outlet, no other means of commercial connection with the world than that river. While a foreign power held command of that river it could cripple this vast country and drive us to war at any time by doing what the Democratic party of the South have done—erecting forts along its banks at Vicksburg, Port Hudson, and elsewhere, and arresting the whole commerce of the Northwest. It was, therefore, necessary to the permanent peace and prosperity of the country that this territory should be acquired; and Thomas Jefferson, transcending the powers of the Constitution, and acting in conflict with it, acquired it. You will also find by the remarks which I made on the second evening of this discussion, which have been printed, and I trust distributed among you, that Abraham Lincoln, though conducting a war of infinitely greater magnitude, has done nothing that Andrew Jackson did not do during the war of 1812; and that by vindicating the constitutionality of Jackson's acts, Stephen A. Douglas made himself the leader of the Northern Democracy. I pass now to the general subject of discussion, and you will find that before I conclude, I will notice, though not in detail, all the gentleman has said to-night.

What is this war about, and between whom is it? It is about the question whether man shall have wages for his labor. It is not between political parties. In the early days of our country there was a powerful anti-slavery party in the South. Washington was an anti-slavery man, and by his last will emancipated every slave that belonged to him. In his correspondence with American and foreign citizens he continually expressed the hope that the institution of slavery would be abolished at an early day. Thomas Jefferson was an anti-slavery man, and said, among many other such things, that, in view of the wrongs of the slaves, "he trembled for his country when he remembered that God was just." James Madison was an anti-slavery man, and when it was proposed to insert the word "slave" in the Constitution, he substituted the phrase "persons held to service or labor;" and his argument was that slavery was soon to pass away under the enlightened civilization of our country, and that the word "slave" ought not to be inserted in our Constitution to remind our posterity that so odious an institution had ever existed in our country. The leading men of Virginia at that time were anti-slavery men. Some of the most eloquent utterances made in the Convention that framed the Constitution came from slaveholders, speaking in opposition to the institution of slavery; but, by the invention of the cotton-gin and the larger use of cotton, slavery became more profitable, and the great men of the South were succeeded by a generation who were inferior to them, and who forgot their precepts and the Declaration of Independence, which my friend seems to despise and dread so much, but which I hold, next to my Bible, as the creed of an American citizen. Forgetting the teachings of those great men and of that great document, they became the propagandists of slavery.

In 1847, as I have stated at former meetings, Mr. Calhoun, as the organ of modern Southern sentiment, introduced into the Senate of the United States resolutions contemplating the nationalizing of slavery and the forcing of it upon the free States. His resolutions were tabled. Mr. Yancey, Calhoun's ablest disciple, at the Democratic Convention held in Baltimore in 1852, introduced a resolution contemplating the same end, viz., the nationalizing of slavery; and though every Congressional district in the Southern States was represented in the Convention, the resolution received but 36 votes. But onward and onward and onward proceeded this movement for the extension of slavery. A system of terrorism was established and practised till the whole South was made pro-slavery, and we in the North seemed to find nothing but slavery in our politics, and were taught by mob violence that it was a crime to speak against it.

Thus you see this war is not between parties, for at the time it broke out, or for ten years before, there was no anti-slavery party in the South. There had been none permitted there. If a man did not profess to believe in slavery, the supporters of that institution drove him out. Did they not send John C. Underwood from the home of his ancestors in Virginia because he was a free-soil man? Did they not expel from Kentucky John G. Fee and the whole of the little town of pious people to whom he ministered, because they were opposed to slavery? When that poor Irish stonemason Power, while working on the capitol in Columbia, South Carolina, said that every man ought to be paid for his work, did they not tie him to a cart, put a huge slave on each side of him with a whip, and whip him till the blood trickled from his neck to his heels? And did they not then coat him with tar and sand, and shave his head, and send him North? He was a Democrat who had resided in the First Congressional District of Philadelphia, and voted for Thomas B. Florence and James Buchanan; but that did not save him when he uttered in a slave State the theory that every man who works is entitled to wages. Have you not read the stories of the manner in which delicate women from the North, tempted to the South to pursue the avocation of teachers, have been scourged, because there had been found among their papers letters expressing anti-slavery sentiments, or copies of the *Independent* or some other Northern paper containing something against slavery? You know that there was no anti-slavery party in the South.

The gentleman talks about the suspension of the *habeas corpus* and the violation of the rights of the individual. Why, if, during the last eight years of Democratic rule, he had gone into any slave community of the South and said, "I believe in the Declaration of Independence; I believe that all men are born free; and have certain inalienable rights, among which are life, liberty, and the pursuit of happiness," what would have occurred? Would there have been an argument? No; there would have been a hanging. He might have protested that he was a Democrat; that he would not use such language to the slaves, but would simply argue the question among gentlemen, and it would have availed him nothing. They would have hung him, and would have done it deliberately.

This is not, then, I repeat, a war between political parties. Nor is it a war between States. For there were certain parts of the Southern States where slavery did not thrive. It does not thrive among the mountains, it does not thrive in a region where hands cannot be worked in gangs. It is upon the broad savannah, in the rice, the cotton, the tobacco, and the sugar field that slavery thrives. Parts of Maryland, Virginia, and Tennessee are mountainous and full of coal and iron. At the breaking out of this rebellion, the lower, flat, rich eastern part of Maryland was for the rebellion; and the soldiers of Massachusetts were shot in the streets of Baltimore by rebels and secessionists. The western part of that State was at that very time as true to the Union as it is to-day, and elected Governor Frank Thomas, a Union man, to Congress by an almost unanimous vote.

You know the story of East Tennessee better than I can tell it. You know the story of Andrew Johnson, Parson Brownlow, Horace Maynard, and the other devoted Union men of that section. You know how long Brownlow lingered in a felon's cell for adhering to the Union. You know how men were hung to their own roof-trees—murdered in the presence of their pleading wives and daughters, and how yet they clung to the constitution, the country, and the flag. You know, too, that in West Virginia the people adhered to the Union.

And here let me tell you part of what I meant when I said that it was impossible to bring the States back with all their old rights. The people of West Virginia have made a free State. They have come to Congress, and asked to be admitted into the Union, and have been admitted, and they have abolished slavery. There is not one of you who would say that it was wrong to admit a State with territory twice as large as Maryland, and with a population sufficient to send three members to Congress; that it was wrong to readmit them into the Union, because the slave-owning traitors of East Virginia did not want them to be admitted. What! shall we punish loyal men and keep them out of their rights, until the last rebel shall say to us, "We are content; you may take them back?" I am for punishing treason and rewarding loyalty. I want every man throughout the South to see that, if he is a traitor, he runs the risk of death, and that, if he stands by the country or submits to its power, the country will protect him in all his rights.

This free State of West Virginia, the gentleman, under his theory, would extinguish. The Democratic leaders at Chicago would not admit the delegates from that State into their Convention. Those delegates presented themselves to that Convention—because there are Democrats even in West Virginia. There are some fools to be found in every community; and though the people of that State have been scourged almost to death, there were some men there who were willing to go to the Democratic Convention. They were, however, kicked away from the door, as though they had been "niggers," because were the Convention to acknowledge West Virginia as a State, it might offend Gen. Robert E. Lee and other distinguished Virginia rebels.

This is not, then, a war between States, because those three States divided—Western Maryland for the Union, Eastern Maryland for the Confederacy; Eastern Tennessee for the Union, Western Tennessee for the Confederacy; Eastern Virginia for the Confederacy, Western Virginia for the Union. If then it is not a conflict between parties; is not a con-

flict between States, between whom or what is it waged? Why, my fellow-citizens, it is a conflict between two orders of civilization: and the weaker order made the war. It is, on the part of the Government, a war in defence of free institutions. It is a war against freedom and the right of the laborer to wages, on the part of the Confederacy, which my friend's arguments so defend that he has constantly to say, "Though I seem to be defending the rebellion, I do not mean to do it." But let me illustrate the truth of my assertion. On the 17th of September, 1856, there was a great Democratic meeting, or convention, as it was called, held in the State House Yard, in the city of Philadelphia, in commemoration of the adoption of the Constitution. That was eight years ago—four years before the rebellion began. Among the distinguished speakers at that meeting was Herschel V. Johnson, of Georgia, who was, in 1848, a Democratic Senator in the Congress of the United States, and who is now a Senator from the State of Georgia, in the Congress of the Confederate States. In addressing that meeting, he said: "The difference between us, gentlemen, is this; you believe it better that capital should hire its labor, while we believe it better that capital should own its labor."

Those brief sentences involve the essential question of this war.

It is from the fact that the Democratic leaders believe that capital ought to own its labor, that you are spoken of as "mudsills" and as "greasy mechanics." The Southern leaders of the party despise any man who labors for his living. They have been accustomed to owning men and women, and selling them and their children, in families or apart; and they look with contempt on any man who labors, or who has ever labored. This is, as I have said, a war between two orders of civilization; and so Mr. Herschel V. Johnson defined it in his incipency. No free State has gone into the rebellion; and there was no slave State that had not at the beginning of the war a powerful party trying to take it into the rebellion. But for the efforts of General Lyon, Missouri would have been carried out of the Union. Had not General McClellan, by the most arbitrary act ever perpetrated within the limits of our country (and yet, as I have shown, a perfectly justifiable act), arrested the members of the Maryland Legislature when they were about to pass an ordinance of secession, Maryland would have been taken out of the Union. Was it constitutional to seize a whole Legislature and send them to a fort? It was the Democratic candidate for the presidency who did it. He did just what General Jackson would have done, what Douglas has thoroughly vindicated as constitutional, and what every patriot says was right. He saved the country from war with Maryland by sending to a fort the men who were about to pass an ordinance of secession, and giving the "sober second thought" of the people a chance to operate.

Kentucky at the beginning of the war proposed to occupy a position of neutrality. I was with the President of the United States when he received the response of Governor Magoffin, of Kentucky, to his appeal for Kentucky's quota of the seventy-five thousand men with whom to respond to the assault on Fort Sumter. The Governor replied to the President that he should not have a man for such a wicked purpose. That State tried for a while to occupy a position of neutrality. But she is all right now. As a slave State she was more against the Union than for it. So was every slave State, while every free labor State was unqualifiedly for the Union.

Now let us look somewhat at the characteristics of the conflicting orders of civilization. Our Northern system is characterized by two great features. The first is a system of public education; and the second, a system of laws, by which every man who works is entitled to wages for his work. Thus in Philadelphia we provide out of the common funds for the maintenance of public schools. The gentleman would exclude negroes from the schools in the District of Columbia. Do we exclude them from the public schools of Philadelphia? No, he knows we have fifteen schools for negroes in Philadelphia; and let me ask, by way of parenthesis, whether the gentleman will tell you that he is opposed to their maintenance. Will he tell you that if he had his way, he would shut up those fifteen negro schools and doom the children who attend them to the ignorance of slaves, who are not permitted to learn to read the Lord's prayer? If the gentleman will not tell you this, let him not find fault with me, because I have aided in establishing in the capital of our country schools for colored children to enable them to read the Lord's prayer, the Ten Commandments, and the Constitution of our country.

Under our Northern system of civilization, as I was saying, we build at the public expense school-houses; we provide teachers; we furnish books and stationery, light and fuel. How-ever poor may be the father or the widowed mother, there is for the child an open school-house and the teacher. "A fool for luck," says the maxim, "and a poor man for children."—Go on my good man. The country wants soldiers: and though you have twenty children, there shall be a desk in the school-house for every one of them. Every child who comes into the com-monwealth, whether by birth or emigration, has the right under our laws to learn to read, and write, and cipher, and though he be the child of the poorest laborer, if he has intellect, and if his parents will simply feed and clothe him, he may win his way into the high school, and through it, may walk out of it, as many a poor boy has done, an accomplished scholar ready for the best offices and the highest duties of the land. We propose by our civilization to do for every child what a benevolent man did for an unfortunate bug—a green-backed gold

bug, that had fallen on his back and was kicking upwards. He got his stick under the insect and gave it a toss, and it fell on its feet. "Now, go, poor devil," said he, "hoe your own road. You have just as good a chance as any other bug of your kind." Our civilization proposes to give every child in the commonwealth the mastery of the English language, which holds all the treasures of poetry, fiction, science, philosophy, and religion, that the world has garnered. We mean to give to every boy sufficient knowledge of numbers to enable him to keep his accounts with the world with which he is to buffet—the ability to write, that he may embody his thoughts and send them to his distant friends, or transmit them to posterity, if they have sufficient value to carry them so far. When we have given him this education we say to him, "Now, go forth—not poor devil, but brave boy—Go forth! The world is all before you. The highest honors in the land are open to you—its greatest wealth, its proudest positions. Your father was poor, and your home humble; and your clothes but indifferent while you were attending school; but that must not depress you. You are in a land of freedom, and at this very hour one who in his boyhood worked on a flat-boat, and in his manhood split rails, wields the helm of state of the proudest and greatest nation the world ever saw in its grandest crisis; and as he, a laboring boy, rising from poverty, has won and honors that position, so may you." Our system does more than this. It stimulates the industry of every child. The smallest girl who tends a loom or spindle in yonder factory, is entitled to wages for every hour's work she does. She may be of foreign birth; she may not speak our language; she may be a cripple; but if she has industry and ability to tend one of your simplest machines, the law steps in and secures her wages for her work.

Let me give a familiar illustration as to the operation of our law on the subject. You live in a pretty village, and some of you are carpenters, fence-makers, etc. One of you may live near to a wealthy neighbor, who is not very generous, but who is a clever old fellow in his way. He wakes up some morning and finds that his fence has been blown down. He sees you walking about with your hands in your pocket, and falls into conversation with you. You say, "Mr. Jones, your fence is down." "Yes, John," he replies, "and I am almost too old to put it up. By the way, you are doing nothing; suppose you put it up." "Yes, Mr. Jones," say you, "I will do it gladly," and you go to work and put up his fence. From time to time neighbors pass and see you at work. When the job is done you go to Mr. Jones and say, "I have finished your fence." "Well, John," he replies, "I am very much obliged to you, I will go and look at it." He examines the work and says, "This is very capitally done; I think that the fence is better than it was before; I am really very much obliged to you." "But, Mr. Jones," say you, "I didn't put it up for thanks. It is my trade to do this sort of work, I don't mean to charge you much; but I have been so many days working at it, and my bill will be so much." "But," says he, "I didn't agree to pay you a dollar. I didn't think of such a thing. If I had known that you would charge me for it, I would have tried to do it myself; you had no work to do, and were loitering about here, and I thought that I was merely asking a friendly turn by suggesting it to you." You reply, "Mr. Jones, pay me for my work. If you think that I charge too much, call in two or three disinterested men, and let them say what the work is worth. I only want the value of my labor." He refuses to pay, and you bring suit before a magistrate. In that suit what are you required to prove? Not that he agreed to pay you for the work, but simply that he asked you to do it; that you did it, and its value. You prove by your neighbors who saw you laboring from time to time, that you did the work, and establish by two or three judicious men the value of the work; and the alderman gives judgment in your favor; because the law of the State, yes, of every free-labor State, declares that every man, woman, and child who works shall have wages for that work. Mr. Jones may take his appeal to court. But when the case comes before the court, you prove the same facts, and the judge tells the jury what the law is, and the jury give you a verdict. They thus say that a man cannot violate the law of Pennsylvania by robbing the laborer of his hire, and by their verdict he is obliged to pay the alderman's costs and the court costs as a penalty for having tried to violate the law.

But, gentlemen, our system does more than this, it stimulates the inventive powers of our people, by securing to the poorest man who discovers a principle or invents a process the exclusive enjoyment for a long term of years of the results of his invention or discovery. It does everything possible to stimulate our industry, our energy, our ingenuity. Thus it obtains from every child born or brought into the Commonwealth the most and best that he or she is able to do. It expands and quickens its intellect; it stimulates its energy, its industry, its enterprise. Thus the free people of the North became wealthy, educated and powerful, and are coming to be recognized by all nations as the grandest people that have ever occupied any portion of God's earth. Thus I have hastily characterized one of the conflicting orders of civilization; that under which capital hires its labor. Now let us go to that portion of our land where the other order under which capital owns its labor prevails.

That which is owned can own nothing, even the patent cannot give him the results of his invention. When the slave earns a dollar he only adds that amount to his master's wealth. A master may agree with his slave that if he will pay him so much he shall have his freedom, and the slave may earn or beg the amount, the whole amount, and pay it, and the master after receiving it may *legally* ignore the whole transaction and still hold him as a slave; because the law of the Slave States is that a slave, being a thing—being property—cannot

make a contract. Thus the slave can have nothing. A slave who was charged with stealing his master's pig denied it. "Why," said the witnesses, "how dare you say that you did not steal it? Didn't we see you carrying it off? Didn't we smell you cooking it? Weren't you eating it when we arrested you?" "Yes," replied the negro, "that is all true; but I didn't steal the pig. Don't I belong to massa?" "Certainly you do." "Didn't the pig belong to massa?" "Yes." "Well, then, don't the pig belong to massa just as much when it is in me as it did before?" That is the other side of the case. When you, laboring men, have done your week's work—and a hard week's work it may have been, upon the roads or the streets, in the blacksmith shop or the factory—you go to your little home a happy man on Saturday night carrying your wages. When you kiss that wife of yours, you may not thrill as you did when your lips first touched hers; but you are prouder of her and love her more tenderly than then, because it was she who gave you those bright boys and blooming girls. It is she who, though hers is the last watch at night, is prompt in the morning to get the cozy breakfast. It is she who sees those little ones off to school, in clean clothes, though they be "well patched." It is she who makes a proud man of you on Sunday as you and she wend your way to church, or while you rest from the week of weary labor, sees that the children go clean and in their last new suit to Sunday school and church, as proud as the children of your proudest neighbors. You plan with her what you are to do, and of the bright future that hope tells you is before each child. You talk with her of what you will do with the money that you are saving. She shares the dream of going some day West or South, and under that beneficent act, the homestead law, settling on 120 acres of public land for you and her and ten for each of your little ones. That by the way is one of those odious laws which the "Lincoln Congress" have passed, and which, though Andy Johnson had pressed it before a Democratic Congress for twenty-five years, had always been defeated, and which, when at last it was passed under a Democratic Administration, James Buchanan vetoed. That law, as you know, gives to each of you who is a single man eighty acres of public land, and to each of you who is a married man one hundred and twenty acres, with ten additional acres for each of your children. You dream of going and settling upon those public lands, and your good wife shares your dream. You are only waiting till you save enough money to pay the passage of yourselves and the Little ones. That wife you love; and it would be worth the measure of the best man's life in the world to dare to insult her in your presence. What would be the worth of the life of the man who would dare to offer outrage to that fair daughter of yours in your home. But the laboring man or woman who is owned has no home. The laborer who is owned has no wife. The father and the mother of slave children have no children to honor them in obedience to the Divine command. The wife may be put upon the block and sold before the eyes of the husband. The child may be put there while the father and mother plead that somebody who is to buy it will buy them also, that they may still be near the little thing. Do you think, men of Manayunk, that your condition would be improved by having a benevolent master to own you—to outrage your wife and daughter at will—to sell your children from you upon the auction block? Yet that has been the condition of four millions of people in the Southern States, and the question at issue is simply whether that system is better than ours. And the gentleman, in defending his side of the issue, complains because Congress gave the widows of the freed slaves who have been killed while fighting our battles the benefit of what is and has been for years the law of Pennsylvania. He says that the widow of a white soldier, who cannot produce the certificate of her marriage, must go without a pension. That is not so. The pension laws require her to prove that she was the soldier's wife. The law of Pennsylvania is, that cohabitation and reputation make a man and woman, for all legal purposes, husband and wife. Who says the ceremony at a Quaker wedding? Let any man and woman in this assemblage get up and say, "We are man and wife," and then go and live together for a week, and let that man be killed in the military service of the United States, and you will see whether that woman cannot get a pension as his widow, by proving that they were married according to the laws of Pennsylvania. Now, these people who have been owned, and bought and sold—whose masters would not allow them to be married—are fighting our battles, and because we have given them the benefit of the law of Pennsylvania, and declared that if a woman can prove she has been acknowledged as a man's wife for the period of two years next preceding his death, and is the mother of his children, she shall, in case of his death in the military service, be regarded as his lawful widow, and shall, with her children, receive a pension. The gentleman quarrels with that act because these people have "skins not colored like his own," and are thus escaping from bondage into the light of our free civilization. I shall show you, before I get through, that many of these people, whom the gentleman talks about as "negroes," are white as himself or I, and are the kinsmen of the leaders of the Southern Confederacy. We have freed the colored children of Jefferson Davis and his brother Joseph. The daughter of General R. E. Lee is a woman I have often seen at Washington. She is not of her father's color; she is about midway between his and that of her colored mother.

But to return from a digression. Where the man is owned he can earn nothing for himself. He can have no wife or child to call his own—none that can be more sacred to him than the calf or sheep that his master owns and may sell. Where laborers are owned there are no public schools. Why should the slave be taught? When the children of Israel were in

bondage, their oppressors provided that no smith should be among them, lest he might fashion instruments of iron with which they would strike for freedom. All through the Southern States the laws, in the like spirit and for the same object, have provided that there shall be no schoolmaster among the slaves. By the law of every Slave State it has been made a felony to teach a colored person to read—they have not said in their acts “to read the Word of God;” but the child who can read nothing cannot read that. While the Southern people have been contributing in a small way to missionary societies, etc., they have held four millions of human souls in the bondage of profoundest ignorance, and have imprisoned as a felon any man or woman who might undertake to teach any of them to read the Word of God. So, too, they have shut out all education from the poor white men of that section, not by statute, it is true, but as effectually. Your children cannot go to school if they are obliged to walk many miles; and where one man owns a plantation of three, five, or ten thousand acres, and has it worked by his three, five, or seven hundred, or his thousand slaves, the poor people living on little patches of ground have no chance for public schools. And outside of the city of Baltimore I do not know of a single public school in a slave State for white or black children—not one. In this way the poor white men are driven out of the South. If they want to have their children educated, they must leave their homes, sell their little property to their wealthy neighbors, and come to a Northern State, where there is a system of public education. Hence you find that Indiana and Illinois and the Northwestern States generally, are full of poor people, who have escaped from the oppression of the slave States, who have sold the graves of their fathers and the homes of their childhood to come North, where there is social equality for the poor man and education for the poor man’s child.

This war is, I aver, between these two conflicting systems of civilization. One system acknowledges matrimony between man and woman. It proposes to train up children in accordance with the commandment to “honor their father and their mother that their days may be long in the land which the Lord their God giveth them.” It is a system in accordance with Christianity—a system under which the poor emigrant sees in his child the proud American citizen, the aspirant for wealth and honors, whether social or political. The other system denies to the laboring classes all their rights. “Ah!” but says my friend, “you are talking now about niggers—at least I was talking about niggers.” I ask the gentleman whether the Almighty had the right to make his children of what color he pleased. He nor I, nor the slavemonger made the negro. The negro did not select his own color. If the Almighty had told him in advance what sort of a place America was, and advised him of the prejudice its people have against dark colors, and that he was going to send him here, and had asked him what color he would prefer, I have no doubt that the negro would have chosen to be of the white race. The Lord, my Father, made him. He made him in his own image, and he points him through the Scriptures to the Cross to which I go for my highest hopes. I have no right, black and ugly though my Father’s child be, to wrong and oppress him because of the act of that Almighty Father in giving him a color not like my own.

But I tell the gentleman that he is abusing the children of his friends; and I will show him to how large an extent these people, for whom he says we legislate too largely, are such. In answering, in Congress, arguments of the same drift as those presented by the gentleman, I had occasion to go to the census to show who and what the colored people of the South are. I beg leave to read a short extract from that speech. The charge was, not only that we wanted to give the negroes civil rights, but that you men of the North wanted to intermarry with them. I repudiated that charge, and answered it thus:—

“It is not the men of the North who have been enamored by that complexion which is described as the ‘shadowed livery of the burning sun.’ It is not the men of the North who have laid their ‘snowy hands’ in ‘palms of russets;’ or ‘hung Europe’s priceless pearl that shames the Orient on Afric’s swarthy neck;’ or realized experimentally the truth of the poet’s aphorism, that—

‘In joining contrasts lieth Love’s delight.’

“These exquisite and delicate sources of enjoyment have been in the exclusive possession of the Southern Democracy, the collaborators in politics of the gentleman who charges them so wantonly upon the people of his own section. He has never seen the white Northern man choose his companion from that race. I have by me the picture of a band of slaves sent North by General Banks, four of whom are as white as we who hold this discussion. They come from the colored schools recently established in New Orleans. They are children of Southern Democrats; born in Virginia and Louisiana, they were owned or sold by their fathers as negro slaves.

“I look, sir, upon that picture of Washington’s companion in the Revolution [pointing to the picture of La Fayette] and his fit associate in this Hall, and I remember that when on his tour through this country in 1824 he visited the Southern States, he very publicly expressed his surprise at finding the complexion of the negro population in the cities so largely changed from what it had been at the close of the revolutionary war.

“But a few weeks ago, in conversation with a distinguished son of Kentucky, himself a slave-holder, upon the question now under discussion, he said to me that in 1849, he was at

school at Danville, Kentucky; that there was there, on an average, three hundred young men, and that though the colored population of the town numbered six hundred, there were but six of pure African blood. The students at that school were not Northern Abolitionists or Republicans. They were the wealthy and educated young gentlemen of the Democratic South.

"But, sir, let this question not rest upon isolated instances or narrow localities. Let us look at the census of 1860. I find by it that more than half a million of the colored people of that section are, as I have already said, the kindred of the white race of the South. Thus, in Louisiana, of the free colored people, 81.29 per cent. are of mixed blood, while in Pennsylvania only 36.67 are of mixed blood. And here let me say that the latter are nearly all of Southern birth."

I then recalled an incident occurring in a Philadelphia court, where there were fifty witnesses, all colored, from Charleston and its vicinity, and among them all neither a white nor a black man; they were all of mixed blood.

Again, in 1850, the census shows there were among the slaves seven and three-tenths per cent. of mixed blood. In ten years the percentage had increased to ten and forty-one one-hundredths per cent. I have seen slave girls as fair as the fairest among us; I have seen slave men as white as the whitest among you. Their complexion makes no difference in their rights, so long as the mother is a slave. The condition of the child of a slave follows that of the mother.

Now, my friends, we are in a war between these two orders of civilization. That war is made by the rebels to divide and destroy our country. They claimed first, by peaceful but unconstitutional means, to force their accursed system of unpaid labor upon us; and when they could not do that, and found we resisted it, they organized a rebellion, and undertook to snatch from us by war more than half our country. We determined that they should not do it. We called out armies and sent them to the field; we created a navy; and all this while a large body of men, all those who loved the Democratic organization better than their country, remained at home finding fault with every act of the government. You know well that when I was in this town pleading for recruits to swell our army, the Democratic orators were going about the country denouncing the conscription, denouncing the suspension of the *habeas corpus*, asserting that the war was "Lincoln's war for the nigger," and thus trying to keep men from joining the army to crush the rebellion; and what was more, inspiring every Southern rebel, whether civilian or soldier, with a hope that there would be a diversion in their behalf in the North. The rebels would have surrendered long ago but for the hope that the Democratic sympathy for them in the North would become practical and effective. They would surrender before a week, but that they hope the Democratic party, which holds the doctrine of my friend and is in such close sympathy with them, will achieve a victory at the coming election.

Now, what wrong thing have we done? Are we not right in maintaining our country? Do you want to maintain for yourselves and posterity your rights and interests in the Southern States? The Constitution gives you the right of citizenship in each one of those States. Do you desire to see the sunny South, with its fertile fields, its broad rivers, and the many blessings which it promises to you and your children, dismembered from your country? Are you willing that an alien confederacy shall be established whose boundary shall divide our country from the Atlantic to the Pacific, that may make war upon you at any and at all times? Some of you have come from the Old World, and you know that while France keeps up an army, England must keep up an army; and that while England and France keep up standing armies, the Germanic States must do so; and while these do so, Russia must pursue the same policy. In other words, you know that, in time of peace, all Europe is one immense camp. You know that the first-born boy of nearly every poor family is taken for the standing army or the navy. You know that the laboring people are taxed to maintain those standing armies and navies. Why? Because those countries are comparatively small, and each one is afraid to disarm, lest, if it should do so, some of the others may assail it.

Recognize a Confederacy on the south of us, and from that time forward we must maintain an army of half a million men, because our Southern neighbors would maintain such an army. By merely acknowledging their independence we should be brought to the condition of Europe, with a standing army and an immense navy, to support which the laboring men of the country would be eaten up. You know that there could not be peace between two countries divided by no mountain range, no broad sea—divided by nothing but an imaginary line, requiring for its discovery a surveyor with his instruments. What line is there to divide the so-called Southern Confederacy from the United States? Can you, as you go down the Baltimore Railroad, tell when you pass from Pennsylvania into Delaware, or when you pass from Delaware into Maryland? No, not one of you can. Nor can you tell when you pass from Iowa into Missouri, or from Pennsylvania into Maryland in the valley. There is no natural line of division. Every slave who might cross our lines would be followed by a master armed to seize him. This invasion of our territory would be resisted or resented, and so every slave who escaped would make a cause of war. If we could not live in peace under the Constitution, in God's name, how can we hope to live in peace as two armed Confederacies, watching and taunting each other from day to day? To acknowledge the independence of the rebel-

luous States is to make war perpetual, and to doom ourselves and children to all the exactions and oppressions of European despotic life.

"But," says the gentleman, "you have put the negro on an equality with the white man by taking him as a soldier." My friends, from the outstart I have supported the policy of making the negro help fight this war. I could not see that he was a bit better than the white man. And I ask you, mother, was it not better that we should take the rebel's slave and put him in the ranks of our army to fight, than that we should take your son and put him there? I ask you, young wife, was it not better that we should take the rebel's slave, put a uniform on him and a musket in his hand, and say to him, "Now fight for our country and your freedom," than that we should take that young husband of yours and send him, under General McClellan, into the swamps of the Chickahominy? Men of Manayunk, are you jealous of those negroes who are fighting, day by day, around Petersburg, to put down the rebellion? Do you, father, regret that it was not your son who was put to death at Fort Pillow, crucified by those towards whom the sympathies of the gentleman flow out so exuberantly? "No," say you, "we must put down this rebellion, and you were right in taking the rebel's laborer to do it."

Let me turn to a work that I wish every one of you would read. It is from the pen of a distinguished Democrat, a gentleman who represented Indiana for four years in Congress, and who was Mr. Buchanan's Minister at the Court of Naples. It is entitled "The Wrong of Slavery, the Right of Emancipation, and the Future of the African Race in the United States, by Robert Dale Owen." Its motto is, "Over the entire surface of the globe, the races who compel others to labor, without laboring themselves, fall to decay."

When the war began, we of the North were eighteen millions of people; the rebels were but eight millions of white people; yet they had nearly as much laboring and fighting power as we, as I shall show from this book. The slave girl and woman do the work each of a man. But to Mr. Owen's book:—

"We had need of all our resources, even to the uttermost. Had we at that time employed them all? Had we not, up to that time, left in the hands of our enemies, with scarcely an effort to disturb it, one of the chief elements of their military strength?—nay, an element so overwhelmingly influential in its practical results, that, according to its management against us or in our favor, might be the ultimate issues of the war—defeat if we neglected it, victory if we employed the opportunity! Let us look closely to this.

By the census of 1860, the number of white males between the ages of eighteen and forty-five was, in the loyal States, about four millions; in the disloyal States, about a million three hundred thousand—let us say about three to one. The disparity seems great; but as a basis of military strength, the calculation is wholly fallacious; for the disloyal States contained, when the insurrection broke out, three millions and a half of people, who were not insurgents, who did not voluntarily assist in the rebellion, but who were compelled by force to render it most efficient aid.

"Out of the above four millions, the North had to provide soldiers and (with inconsiderable exception, not usually extending to field-labor) laborers also.

"Not so in the South. Her million three hundred thousand had more than their own number to aid them in military as well as agricultural labor; for, as among slaves both sexes are employed from an early age to a late period in life in the field, the number of laborers out of three millions and a half of slaves may fairly be put at two millions. Let us estimate three hundred thousand of these as employed in domestic service and other occupations followed by women among us, and we have seventeen hundred thousand plantation-hands, male and female, each one of whom counts against a Northern laborer on farm or in workshop, or a Northern soldier laboring on intrenchment or fortification; each one of whom, staying at home to labor liberates a white man for active military duty in the field.

"To one million three hundred thousand add one million seven hundred thousand, and we have three millions total in the insurgent States of numerical force available in this war; that is, of soldiers to fight and laborers to support the nation while fighting.

"Then supposing the negroes all loyal to their masters, or at least remaining to labor for them, the comparative military strength, so far as it is indicated by population, was as four in the North to three in the South.

"If we take into account that ours were the invading and attacking forces, while the insurgents had the advantage of acting upon their own territory, near to their supplies, with short inside lines of communication, and on the defensive, it need not surprise us that, after the lapse of a year and eight months of unintermitting war, the scale still remained in the balance, neither side yet hopelessly depressed.

"Under such a condition of national affairs, when there was a question of claims held by the enemy, upon which rested his powers to supply his armies with the necessaries of life, it was incumbent upon us to go much further than to inquire whether the commander-in-chief had the right to take and declare forfeited these claims. The true and fit question is, whether, without a flagrant violation of official duty, he had the right to refrain from taking them.

"You have no oath," our present Chief Magistrate said, addressing, in his Inaugural, the insurgents already in arms against lawful authority—"you have no oath registered in Heaven

to destroy this government; while I have the most solemn one to preserve, protect, and defend it."

These facts were palpable. Yet every man in the North who sympathized with the rebellion, and who was against the country, cried out, "You shall not use the negro." The men of that class turned to the laboring people and said to them, as my friend has said to you, "They are trying to make the negro your equal." Why was it? It was because they knew that, so long as the rebels had those four millions to do their work, they could put every able-bodied white man in the field to fight; and that while our poor white soldiers were dying by hundreds and thousands when working night and day, throwing up entrenchments, the white soldiers of the Southern army lay about, while their negroes dug the entrenchment and built the fortification. From the first I called on the Government "to take negroes, and make them dig, and work, and fight, and save the white men of the North." My friend and the leaders of his party said, "For God's sake don't touch the negro! You are violating the Constitution, and will irritate our southern friends." Then they turned to you and said, "Don't you see that these Lincolmites are trying to make the negro your equal—trying to pass laws to make him as good as you are?" My God! were we not saving you from the perilous battle field, and malarious swamp? Were we not saving you from the labor which the negro could perform, that you might meet and vanquish the army that was shooting you, your sons and your brothers? And were they not pleading and working for the rebellion, who were calling upon you to embarrass us, because we wanted to use the negro to put it down?

Yes, we have used them. Thank God, we now have 200,000 stalwart negroes, who are not hoeing corn or cotton, or building entrenchments for the rebels, but carrying United States muskets, and driving their rebel masters freely as their masters used to drive them. They carry with them the American flag. They will aid in bringing back the country covered by the Confederacy. And that is what I meant when I said that they were the "coming man." We had able generals, but they had not soldiers enough; and these Democratic leaders had so excited your prejudices against the negro that you would not let the Government use him. And there, on that 6th of July, I was surrounded by a body of black and white people, and was pleading with the negro to enlist and carry forward the flag. I told my hearers that the negro was the coming man; that if they would recognize his manhood, and give him arms and equipments, and a flag to carry, and officers to command him, he would take Vicksburg and Port Hudson, and would aid the white man in taking Petersburg and Richmond. That is the sense in which I meant that he was the "coming man." And I ask any soldier here to-night, who has fought on the same field with a negro regiment, whether the negroes are not men, and do not make good soldiers, and die fearlessly for their freedom and our country and its flag? If you want the black soldiers stricken from your armies—if you want to go and save them—then support for Congress a man who is opposed to using them as soldiers; for if you re-elect me, I shall go for enlisting every able-bodied negro we can get; and if we can get half a million of negroes, I shall go for bringing home every white private soldier who wants to come home; for half a million of brave and well-disciplined soldiers will conquer what little is left of the Confederacy. So that if you feel that the life of your son or brother is not so sacred to you as the life of the rebel's slave, you will vote for my opponent. But if you believe that it is the duty of the Government to use all the resources at its command—that it is its duty to make South Carolina furnish her quota, and Mississippi furnish hers, and every other rebel State furnish hers, you will vote for me; for I shall not be content until (if the war lasts long enough) every rebel State has furnished as many loyal soldiers, black or white, according to her population, as Pennsylvania has been called to furnish.

There you have one of the issues that divide my friend and me. I am not for the negro before the white man. But I am for giving every man his rights—wages for his labor, the right to defend his wife and daughter, and the right to seat his children in a school, that they may learn to read the Constitution of the United States and the Word of God, given us for our guidance here and our salvation hereafter.

NO. 6.

Speech of Hon. Wm. D. Kelley, in the Northrop-Kelley Debate.

DELIVERED AT MANAYUNK, TUESDAY EVENING, OCTOBER 4, 1864.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

My Fellow-citizens: My friend opened the discussion last night, and occupied your attention an hour and a half. He discussed some of his propositions; he gave you a list of the names of certain laws to which he objects, and stated his judgment of their general purpose; and made some tolerably fair hits at me personally; but he said not one word against the rebellion—not one in favor of putting it down—not one in favor of strengthening the armies that are battling for the unity of our country and the maintenance of our Constitution. He endeavored to excite your prejudices against the negro. He told you that slaves were happier and more secure than you. He reminded you—no, not reminded, but told you that you were all liable to go to the almshouse in your old age, while slaves were certain not to go there. I cannot say that he reminded you of this, for it is not the fact, and he cannot point to the case of one honest, temperate, industrious workingman who has gone to the almshouse from Manayunk. But he told you that the slaves were better off; for the Northern workingman had the almshouse staring him in the face, while the benevolent owner of the slave would take care of him in old age and sickness.

The implication of his entire discourse was that we of the North had begun this war. Indeed, he said expressly, that as early as 1790 New England had begun to antagonize slavery, and hence the war. He deprecates the horrors of war, and tells you that if he and his party get into power you shall have peace. Does he mean to say that they will fight the war to a successful issue more rapidly than we are doing? I ask this question, and I request him to answer it. Does he mean to say that they will fight this war to a successful issue more rapidly than we are doing? or, does he mean that if they get into power, they will give the rebel leaders their way, and so procure peace? I ask him to tell us precisely how he and his party will redeem the promise which he made last night, that if you would elect them to office they would give you immediate peace.

I, on the other hand, charge that this war was made by the South—that it was made with the encouragement of the Democratic leaders of the North. I have shown in my earlier addresses, as you will find by reading them, that the rebellion was organized during Mr. Buchanan's administration—that South Carolina seceded 76 days before Mr. Lincoln was inaugurated—that the Confederacy was organized, and Jeff. Davis elected President and Alexander H. Stephens Vice-President early in the month of February preceding the 4th of March on which our good President was inaugurated, and I now ask the gentleman to point to the order of Government by which Fort Sumter was fired upon. That act was done by the order of the Confederate government and not that of the United States Government. The war is a rebellion of the slave owners of the South against the Government of the United States, in order to form a confederacy of which slavery—a system of unpaid labor, a system in which capital owns its labor—shall be the corner-stone; and so Alexander H. Stephens, the present Vice-President of the Confederacy, deliberately announced to the world. The Southern leaders prepared for and began their rebellion with the certain knowledge that if the Northern people should be true to themselves and the Government, it would involve them in war. But the reckless leaders did not believe that the Northern people had courage and patriotism enough to maintain the integrity of their country. They boasted that one Southern man was as good as five Northern men. Franklin Pierce, the last Democratic President but one, had written to Jefferson Davis, that if war should follow secession, that war could not be confined to the South, but would prevail in our own cities, our own towns, our own villages. The aristocratic leaders of the Democracy of the North despise the laboring man as much as their fellows in the South, and are as tired of universal suffrage and political equality as they. They dare not express their feeling on the subject so freely, because they look to the votes of laboring men to give them power to execute their aristocratic purposes, but they have sustained the Southern slave-drivers in all their assaults on popular rights; and when you were told by my friend, last night, that the slaves were happier, and, in many contingencies, better off than the white workingmen of the North, you were told exactly what the Democratic leaders believe; I, however, never knew one before who, like my competitor,

was so honorably frank as to avow this belief in the face of a body of workingmen. Nevertheless, it is their creed.

But let this not rest on my mere declaration. When the Convention of the State of Georgia was considering the question whether that State should secede, Alexander H. Stephens, the present Vice-President of the Confederacy, made a speech against secession. He held to the doctrine of State rights; he believed that a State had a right to secede, and he said that, if a majority of the people of his State should determine to go out, he would go with them. He identified himself with his State. But he appealed to the members of that Convention not to involve their country in war, as the attempt at secession must do. He believed that Northern men would fight. He believed that when the South should secede, it would become the duty of the President, who had sworn "to preserve, protect, and defend the Constitution," to make war in defence of the Union. He knew that when the war should come, it would abolish slavery, because he knew that it would be the duty of the commander-in-chief of every army, when he came to the frontiers of a country, to offer protection to all the people of the country who would support his flag, and he knew that we of the North recognized negroes as people, and he saw that we could not be so foolish as to pour out the blood of our own men to fight Southern rebels when we could call on their negroes to do that work. He remembered that Lord Dunmore, the British Colonial Governor of Virginia, at the beginning of the Revolutionary war, had, in accordance with the usages of war, issued a proclamation calling upon slaves to rally to the flag, and guaranteeing them freedom for so doing. Therefore he knew that to go to war would be to abolish slavery, that war would make it the duty of the North to abolish it; or, in other words, that it must inevitably be abolished by the necessities of war. Now, while I answer the whole of my friend's appeals in behalf of the South, and his allegation that the North is in the wrong, by reading you a portion of the speech of Mr. Stephens, Vice-President of the Southern Confederacy, made in January, 1861, in the Georgia Convention, which passed the ordinance of secession, I will also prove that it (the rebellion) is not against wrong and oppression, but was begun in the delusive hope of founding a slave empire. Those remarks were as follows:—

"This step (Secession), once taken, can never be recalled; and all the baneful consequences that must follow will rest on the Convention for all coming time. When we and our posterity shall see our lovely South desolated by the demon of war, which this act of yours will inevitably invite and call forth; when our green fields of waving harvest shall be trodden down by the murderous soldiery and fiery car of war sweeping over our land, our temples of justice laid in ashes, all the horrors and desolations of war upon us, who but this Convention will be held responsible for it, and who but he that shall give his vote for this unwise and ill-timed measure shall be held to strict account for this suicidal act by the present generation, and probably cursed and execrated by posterity in all coming time, for the wide and desolating ruin that will inevitably follow this act you now propose to perpetrate?"

"Pause, I entreat you, and consider for a moment what reasons you can give that will even satisfy yourselves in calmer moments, what reasons you can give to your fellow-sufferers in the calamity that it will bring. What reasons can you give to the nations of the earth to justify it? They will be the calm and deliberate judges in the case, and to what cause, or one overt act can you point on which to rest the plea of justification? What right has the North assailed? What interest of the South has been invaded? What justice has been denied, or what claim, founded in justice and right, has been withheld? Can any of you to-day name one governmental act of wrong deliberately and purposely done by the Government at Washington of which the South has a right to complain? I challenge the answer."

"On the other hand, let me show the facts of which I wish you to judge; I will only state facts which are clear and undeniable, and which now stand as records authentic in the history of our country. When we of the South demanded the slave trade, or the importation of Africans for the cultivation of our lands, did they not yield the right for twenty years? When we asked for a three-fourths representation in Congress of our slaves, was it not granted? When we demanded the return of any fugitive from justice, or the recovery of those persons owing labor or allegiance, was it not incorporated in the Constitution, and again ratified and strengthened in the Fugitive Slave Law of 1850? When we asked that more territory should be added that we might spread the institution of slavery, have they not yielded to our demands, in giving Louisiana, Florida and Texas, out of which four States have been carved, and ample territory for four more to be added in due time, if you, by this unwise and impolitic act, do not destroy this hope, and, perhaps, by it lose all, and have your last slave wrenched from you by stern military rule, as South America and Mexico were, or by the vindictive decree of universal emancipation, which may reasonably be expected to follow?"

Let me pause here to ask whether Alexander H. Stephens did not, as I have said, see, before the war began, that slavery must inevitably be abolished by the war? And yet, more true to the Confederacy than he, my friend stands up and tells you the war is for the negro, and against the white man, and that emancipation is unwise and unconstitutional.

"But what have we to gain by this proposed change of our relation to the general government? We have always had the control of it, and can yet, if we remain in it, and are united as we have been. We have had a majority of the Presidents chosen from the South, as well

as the control and management of most of those chosen from the North. We have had sixty years of Southern Presidents to their twenty-four, thus controlling the executive department. So of the Judges of the Supreme Court; we have had eighteen from the South, and but eleven from the North. Although nearly four-fifths of the judicial business has arisen in the free States, yet a majority of the court has always been from the South. This we have required so as to guard against any interpretation of the Constitution unfavorable to us. In like manner we have been equally watchful to guard our interests in the legislative branch of government. In choosing the presiding presidents (*pro tem.*) of the Senate, we have had twenty-four to their eleven. Speakers of the House we have had twenty-three and they twelve. While the majority of representatives, from their greater population, have always been from the North, yet we have so generally secured the speaker, because he, to a great extent, shapes and controls the legislation of the country.

"Nor have we had less control in every other department of the general government. Of Attorney-Generals we have had fourteen, while the North have had but five. Of foreign ministers we have had eighty-six, and they had but fifty-four. While three-fourths of the business which demands diplomatic agents abroad is clearly from the free States, from their greater commercial interest, yet we have had the principal embassies, so as to secure the world's markets for our cotton, tobacco, and sugar, on the best possible terms. We have had a vast majority of the higher officers of both army and navy, while a larger proportion of the soldiers and sailors were drawn from the North. Equally so of clerks, auditors, and controllers filling the executive departments. The record shows for the last fifty years, that of the three thousand thus employed, we have had more than two-thirds of the same, while we have but one-third of the white population of the republic. Again, look at another item, in which we have a great and vital interest, that of revenue, or means of supporting government. From official documents we learn that a fraction over three-fourths of the revenue collected for the support of government has uniformly been raised from the North.

"Pause now while you can, and contemplate carefully and candidly these important items. Leaving out of view, for the present, the countless millions of dollars you must expend in war with the North, with tens of thousands of your sons and brothers slain in battle and offered up as sacrifices upon the altar of your ambition—and for what? Is it for the overthrow of the American Government, established by our common ancestry; cemented and built up by their sweat and blood, and founded on the broad principles of right, justice, and humanity? And as such, I must declare here, as I have often done before, and which has been repeated by the greatest and wisest of statesmen and patriots in this and other lands, that it is the best and freest government, the most equal in its rights, the most just in its decisions, the most lenient in its measures, and the most inspiring in its principles to elevate the race of men, that the sun of heaven ever shone upon. Now, for you to attempt to overthrow such a government as this, unassailed, is the height of madness, folly and wickedness."

Fellow Citizens: You have heard my friend utter no such words as these, in condemnation of secession or in justification of the war now prosecuted by the National Government. He explained to you two or three times last night that he was not defending the rebellion, and this explanation was necessary, because his arguments seemed to you, as they did to me, to have that effect and that alone. I have no occasion to explain that I am not defending the rebellion, because my arguments do not sound like a defense of it. When you get a cause before a jury and hear your lawyer arguing in such a manner that he is obliged to turn to you now and then and whisper, "I am not arguing against you," you will feel that you have not employed exactly the right man. His arguments ought to be so clearly in your favor that you would know, without his assuring you, that he was at least not arguing against you. Yet I think that twice last evening the gentleman told you that he was not arguing against us and in favor of the Southern Confederacy. I suppose from these reiterated protests that he is only speaking in a *Pickwickian* sense, when he seems to be arguing on that side as stoutly as any man within the dominions of Jefferson Davis could.

I illustrated last night the cause and origin of this rebellion. I told you that it was not initiated because there was a party against slavery; not because the Northern States or the government were interfering with the rights of the Southern States or people. I told you that the object of the rebellion was to establish a great slave empire. Has not Alexander H. Stephens satisfied you that I spoke the truth when I said that the South had no cause to complain of the National Government, and that the rebellion was not the consequence of any grievances inflicted by that Government? Had not the South had for years the absolute control of the Government? Even during Mr. Lincoln's administration, had the Southern States remained in the Union, the Senate was so strongly Democratic that in four years its political complexion could not have been changed; and though there had not been a single Democratic member in the lower House, no law which the Southern Democrats did not approve could have been passed, because it requires a majority of both Houses to enact a law. So that until the end of Mr. Lincoln's Administration they had, by means of their strength in the Senate, an absolute veto power on any unconstitutional law that might be proposed. But the reason of this rebellious movement on the part of the Southern leaders was not that the Government had wronged them or their section; it was not that they expected or feared wrong from the

Government; it was that they believed the laborer should be owned, and that they meant to found a confederacy or empire, the corner-stone of which should be human slavery. They aimed at the enslavement of the laborer whether white or black.

I say "white or black." Can the poor white man live in the midst of slavery? Who will pay him for doing a day's blacksmithing when for a thousand dollars he can buy a man who will do the work for mere food and clothing, and throw his babies in? There is a question for you to consider. Who will pay you as a stone mason wages enough to support you and your wife and family when for a thousand or twelve hundred dollars he can buy a stone mason, to whom he need give nothing but coarse jail clothes and common food, and whose babies he may sell at from one to five hundred dollars? What is then the chance for the free working man where slavery prevails? He has no chance; and hence it is, my Democratic fellow-citizens of American or foreign birth, that you have never gone to the "sunny South." There it lies in all its broad capacity and fertility. The winters are not so long by many weeks as they are here. You do not need coal there for half the length of time that you need it here. The land is more fertile than ours, and yields crops that ours will not produce. Norfolk is the finest harbor on the American coast, and was, until after the Revolutionary war, the leading commercial port of America. And yet, my fellow-citizens, every ship load of emigrants that comes to the country comes to a Northern port. Did you ever know of a load of Irishmen, or Englishmen, or Germans, being landed in Norfolk, or in Charleston, or in the port of any Slave State? No; there is no demand for free labor there, because the capitalists buy and sell their workingmen. Instead of going to the fertile and sunny South, with all its mighty resources both agricultural and mineral, its immense water-power, its magnificent rivers and harbors, they come in at the North—at Portland, Maine, at Boston, Mass., at Providence, R. I., at New York, at Philadelphia; and at great expense they travel with their families in emigrant cars away off thousands of miles to the cold Northwest, that they may settle where the laborer is free and respected, where his labor is rewarded by wages, and where there will be schools for their children, and churches through which he and they may learn their relations to their God and Redeemer, and have their duties in this world sanctified to them by a knowledge of those relations.

Let me again turn to the admirable book from which I read last night, and which I urge you all to get. It is entitled "The Wrong of Slavery, the Right of Emancipation, and the Future of the African Race in the United States;" by Robert Dale Owen. It is one of the most remarkable books I have ever read. Mr. Owen says, on page 125:—

"Nor is the contempt engendered by this system towards those occupying subordinate social positions confined to the colored man. Under slavery there grows up a class of white, as well as black, Pariahs. A marked feature in Southern society is the temper and demeanor of the wealthy slaveholder towards an indigent portion of his own race, 'the poor whites,' as they are called, of the South. Slavery is to them the source of unmixed evil. Labor owned, competing with labor hired, deprives them of the opportunity to earn an honest livelihood. Labor, degraded before their eyes, destroys within them all respect for industry, extinguishes all desire by honorable exertion to improve their condition. Doomed by habitual indolence to abject poverty, complacently ignorant, vilely proud, it is doubtful whether there exists, in all civilized society, a class of men more deplorably situated. And yet how fiercely have they been brought to fight for the slave-masters who despise them, and for the system which consigns them to degradation."

With slavery this must be so. A plantation in the South consists of many hundreds, and sometimes two or three or even ten thousand acres. The towns are small. Under such circumstances it is impossible, if the disposition existed, to maintain free schools. I explained to you last night that in slave States, it is a felony to teach a colored person to read. With four millions of slave laborers, how can there be free schools? And how can the white workingman, who can find no employment, educate his children at a pay-school? What is the result? You find that not one out of ten of the poor white men of the South can read the simplest reading matter or write his own name. I saw a whole regiment of Confederate prisoners, among whom there was not one who could write a letter, and there were only ten or twelve who could read. They were free white native workingmen of the South: and it was slavery that had doomed them to this ignorance.

Yet my friend tells you that you have the Almshouse before you, while the happy and prosperous slaves have no occasion to dread it! I do not think he flattered you; nor does he comprehend our institutions or the character of our workingmen, when he thinks that they are living in daily dread of the almshouse. Born in the lap of luxury and reared mid its appliances, he may have looked from the window of his carriage on the laboring man, bowed and begrimed by toil, and pitying him, felt that the almshouse was his ultimate portion. But at eleven years of age I found myself a laboring boy in the workshop, and I know the hopes, the fears, and the aspirations of the laboring classes. For nearly three-fifths of the first twenty-five years of my life, I earned my living by the cunning of these hands in the workshop; and I never dreaded the almshouse as my last earthly refuge. I knew that I was an American citizen, and felt that it was for me the orphan laboring boy to win, if God had given me the ability, both wealth and honors. And I have always found, in associating with

working people, that they assume that though they may not escape from toil or gather property, their children will rise and bless the parents who labored to give them education, culture, and a start in the world. The gentleman does not know that many of you "poor," workingmen own your own homes. He does not know that you are the chief depositors of money in our savings banks. He does not know that your pride is that your boy wins his way over the rich man's son to the head of the class in school and often beats him in the race of life. No, sir, our working people do not fear the almshouse, and do not feel that their condition would be improved if you could get a benevolent master to take a deed for them and their children and hold them as slaves are held in the South.

What is this system of slavery? I spoke last night of your right to defend your home, your wife, and your child. Now, were you a black man in the South—were you a mulatto in the South—were you a quadroon—were you an octoroon, with but one-eighth of African blood in your veins—nay, white as you are, were you a slave, and should a free white man assail your daughter or wife, and outrage her in your presence, you could not have even the poor privilege of swearing to the fact in a court; and were you to strike him, the law would punish you with death. Could you only get yourself well adopted into that system which Mr. Johnson and the Southern Confederacy support, and which my friend approves, then, not even in your own defence or in defence of the honor of wife or daughter, could you testify in a court. This is the slave's condition, and it is not altered by the fact that he has not a single drop of African blood in his veins. You may be the son of your owner, your mother may have been the daughter of his father, and your grandmother the daughter of his grandfather—a man may be thus thrice related to his owner, and have seven-eighths of white blood and only one-eighth of colored, yet he cannot testify in any Southern State, except against a slave.

I turn again to the book of Mr. Owen. The author says, on page 111:—

"One of the most universal objects of human desire and of human endeavor is the acquisition of property. But the laws of slave States forbid that the slave shall ever acquire any. The holiest of human relations is marriage. But a slave cannot legally contract it. The dearest of human ties are those of family. But a slave may see them broken forever, without redress, any hour of his life. Of all human privileges the highest is the right of culture, of moral and mental improvement, of education. But to the slave the school is forbidden ground, reading and writing are penal offences. The most prized of personal rights is the right of self-defence. But a slave has it not; he may not resist or resent a blow, even if it endanger limb or life.

"What remains to the enslaved race? Life to man? Honor to woman? Any security for either? Nominally, yes; actually, save in exceptional cases, no. In the statute laws against murder or rape, the word *white* is not to be found. Persons of either color appear to be equally protected. But among the same statutes, in every slave State of the Union, is incorporated a provision to the following or similar effect:—

"'A negro, mulatto, Indian, or person of mixed blood, descended from negro or Indian ancestors, to the third generation inclusive, though one ancestor of each generation may have been a white person, whether bond or free, is incapable of being a witness in any case, civil or criminal, except for or against each other.' [Code of Tennessee, 1858, Section 3808, page 687.]

"So far as regards the two worst crimes against the person, the above provision is the exact equivalent of the following:—

"'Murder or rape by a white person, committed against a negro, mulatto, Indian, or person of mixed blood, descended from negro or Indian ancestors, to the third generation inclusive, though one ancestor of each generation may have been a white person, shall go unpunished, unless a white person shall have been present and shall testify to the commission of the crime.'

"The apology for a law according to which a woman cannot testify against the violator of her person, or a son against the murderer of his father, is, that in a community where negro slavery prevails such a provision is necessary for the safety of the white races. The same apology is adduced to justify the taking from the slave the right of property, of marriage, of family ties, of education, of self-defence."

Now, my fellow-citizens, let me ask you whether you think, and believe that your wives and daughters think, their condition would be improved were they put under a code of that kind. Yet, where slavery exists, such laws are inevitable. Under a monarchical government, the subject cannot testify against the king; it is treason to imagine the king's death. And slavery has been in all time and is everywhere equally intolerant of criticism. Therefore it is that you cannot maintain and enforce the Constitution, with slavery existing in our country. Slavery, in spite of the Constitution, will "abridge the freedom of speech."

The gentleman said that under Democratic rule, you would have free speech; and he complains that traitors, and spies, and scoundrels, who have cheated the Government in contracts, are picked up and sent to Fort Lafayette. He finds fault with everything that the government does. It has done no one act toward putting down this rebellion, that is not in his opinion unconstitutional, unwise, and tyrannical. But he tells you that you shall have freedom of speech under Democratic rule. I say to you that you never have had freedom of

speech in this country. I say that if, years before this rebellion broke out, you had gone anywhere south of the Potomac or Ohio, and had said that slavery was wrong, you would have been mobbed, scourged, and put to death without trial by jury. For twenty-five years it has been the prevailing custom of the slave country to treat anti-slavery men thus; and we of the North have submitted to it; and American citizens who entertaind anti-slavery sentiments have been afraid to travel through portions of their own country. Even my friend will admit this.

I turn again to Mr. Owen's book to establish the truth of what I say, and to show you that, if you want freedom of speech in this or any other country, you must first extinguish slavery. On page 166, I find a quotation from a speech made by Senator Preston, of South Carolina, in the United States Senate in 1838. These are his words: "Let an Abolitionist come within the borders of South Carolina, if we can catch him, we will try him, and notwithstanding all the interference of all the governments on earth, *including the Federal Government*, we will hang him." In 1838, twenty-six years ago, that was proudly said in the Senate of the United States. Senator Hammond, of South Carolina, the same man who denounced us as "mudsills," especially those of us who labor or have labored, said in 1836: "If chance throw an Abolitionist in our way, he may expect a felon's death."

Mr. Owen says, on page 165:—

"As in despotic monarchies it was found necessary to declare it to be treason, punishable as a capital offence, to question the divine right of kings, so in a slave empire they see it to be indispensable to forbid, on pain of death, all opinions touching the usefulness, or inconsistency with religion, of slavery. Twenty-five years ago they declared from their places in Congress, that, in spite of the Federal Government, every Abolitionist they caught should die a felon's death. It was no idle menace, as numerous murders, for opinion's sake, committed in the South, before the war, terribly attest.

"Let us not blame the men, except it be for seeking to uphold the monstrous system handed down to them by their forefathers. They *must* resist the Federal authority to maintain that system. They *must* violate the Constitutional provision which forbids to abridge 'the liberty of speech or of the press': self-defence and its necessities compel them. They found this necessary before the war, in order to save slavery from destruction; the necessity will be increased beyond measure if slavery remain after its close. Now that the President's Proclamation of Emancipation has stirred up, in every Southern plantation, the latent longing for freedom, the dangers to their slave system from propagandism will be increased a hundred fold.

"It follows that in this Republic, if reconstructed half slave, half free, no man known to be opposed in principle to slavery will be able to cross Mason and Dixon's line without imminent risk of life. South of that line the Constitutional provision touching the liberty of speech and of the press will remain inoperative. A felon's death will await every resident or traveller in the South who prints or who utters, in public or in private, any denial that slavery is just and moral, any assertion that religion does not sanction it. The Constitution guarantees the right thus to print, thus to speak. The Federal Government is bound to maintain that constitutional right. But it *cannot* maintain it in a Republic half slave, half free. What then? *Slavery and the Constitution inviolate cannot coexist.* We must give up the one or the other."

It has long been the policy of Southern men to confine free labor to the cold North. They saw that they must protect slavery against, among other things, the influence of trades unions. They feared the presence of many free workingmen lest they might come to say, "Your slaves shall not underwork us; we support white men at the North when they cannot get fair wages, and we won't let these slaves underwork us." It was to secure the exclusion of free labor, and to save slavery, that they undertook to destroy our Constitution and steal one half of our territory.

Now, men of the Fourth District, the question for you to settle at the coming election is whether you want a representative to go to Congress and defend slavery with all its horrors; to withhold the blessing of wages from more than one-half of your country; to deny to the laborers south of the Potomac and the Ohio the advantages of schools; or whether you want one who will maintain that every man, whether he be the legitimate or the illegitimate son of his master, or a stranger to his blood, is entitled to wages for his work; whether you want a man who would hand back into slavery the 200,000 stalwart negroes who are to-day in camp or bivouac, or fighting for your Constitution, your freedom, your system of civilization, or one who will say, "Brave boys, you have fought nobly; go forth free men; earn wages; rear your families, enjoy homes and be men."

"But," says the gentleman, "you want the darkey to come up here." He said to you last night—"So soon as you make the negroes free, they will come up here and take your wages from you." Now, I do not believe that the negro is a bit more ingenious or skilful than you; the truth is, I do not believe that he is so capable. You have learned your trades; you have worked at them for years. When I finished my apprenticeship of six years and more, I was a pretty good workman; but when, four years later, I quit the workshop, I was still more expert and skilful. You have each improved by every year you have labored at your trade.

And yet so inferior does my friend think you, that he believes and tells you that the "darkey," who all his life has done nothing but hoe corn and cotton—who "cannot tell B from a bull's foot"—who does not know one from a thousand—is so superior to you that if you make him free, he will come up here and take your bread out of your mouths by depriving you of work, and will drive you to that Almshouse which he thinks is before you. There is his argument handed back to you legitimately. I say that the slave from a plantation in the South is not the equal of the Northern mechanic, and that the manufacturers who now employ you would as readily turn a mad bull into many of their departments as place them in charge of one of those "big-fisted" negroes from the cotton and sugar plantations of the South. Do not believe my friend in this—the negro is not better nor more skilful than you. Your skill and knowledge will protect you against his interference with you in your several branches. What do you think of the Democratic party when it defends itself by such insults to you, right to your face?

But there are other reasons why the negro will not come to the North. Why don't you raise oranges in your garden? Is there a soldier here who has served in the Army of the Gulf? Let him tell me whether, when the wintry winds are howling round us, and our rivers are ice-bound, the fields of Louisiana are not green, and the air fragrant with the odor of the orange-blossom, the magnolia, the rose, and other most highly colored and perfumed flowers? If there is such a soldier here, I ask him whether he was not fascinated by the spring month of February in Louisiana, and he will tell me that he was. I ask him, then, why he does not plant around his Northern home the same delicious flowers, and have the orange bloom in February here? He answers, "It is against nature; nature has something to do with that." Pray, has nature nothing to do with the negro, or was he made by magic, to gratify the constitutional scruples of the Democratic party? I have an idea that nature has something to do with the negro, too. Like the orange and the other tropical plants, he comes from near the sun, and was made to live in warm climates. You punish the negro when you doom him to a climate in which there are long, cold winters. He thrives in the South. There, where we lose our teeth early—where we become yellow-skinned, bilious beings—want wigs at thirty, and totter to our graves, old men, at fifty—the negro lives to be eighty and a hundred, and carries a head white as the driven snow; but here, in the cold North, we live long and prosper, and have large families. Abolish slavery to-morrow, and the colored people would all tend southward at once. Nature invites them to go there. There they would have companionship, because more than half the population of South Carolina, and nearly half that of other States, is composed of negroes. At the time of the breaking out of the war about 500,000 out of the 900,000 people of South Carolina were colored.

"Why, then," you ask me, "have they come North?" They have come to escape the wrongs of slavery. They have run away, at the risk of limb or life, in order that they might own themselves and the wages they earn. They have run away that they should not live in violation of God's law, but that they might be married to wives, and be recognized as the fathers of their own children. They have run away from the taskmaster's lash, and from the law that would not allow them to testify against those who ravished their wives and daughters, or struck them down. They have come here to enjoy the common blessings of civilization. Make the South free, and there are not a thousand negroes in Pennsylvania who would not leave it. It is a Democratic humbug to say that you could coax a negro to live in cold New England, or upon the hillsides of Pennsylvania, during our winter, if he could go into the warm States with freedom and safety.

[Mr. Northrop follows in a speech of an hour and a half.]

Judge Kelley, in replying, said:—

My friend has given you a number of quotations from a book written in the interests of the Southern Confederacy, called "The Cotton Trade: its Bearing upon the Prosperity of Great Britain and the Commerce of the American Republic, considered in Connection with the System of Negro Slavery in the Confederate States." By George McHenry."

Mr. Northrop—Of Philadelphia.

Judge Kelley—Yes, George McHenry, a native of Philadelphia, but at present one of the representatives of the Confederacy in England.

I could not understand how it was that my friend read the other night, at the Spring Garden Institute, a quotation from John Quincy Adams which made him vindicate the right of secession, while, when I came to examine the passage in the original, its purport was the very reverse, and was opposed to the right of secession. I now understand it. The author from whose work he had quoted the passage had garbled it, because he is in the pay of the Southern Confederacy as its foreign commercial representative. I brought here last night a volume of the *Globe*, containing the article, to show that the portion quoted was a part of a passage designed to support the very opposite doctrine to that which the gentleman cited it as advocating. In other words, the language of Mr. Adams had been subjected to the same process which was applied to the Bible when a man attempted to prove from it that "there is no God." There were those very words contained in a passage of Holy Writ; but immediately preceding them were the words, "The fool hath said in his heart."

I now understand how the gentleman was misled; and all the quotations which he has

given from that red-covered book to which he has resorted almost every night, are quotations collected and manipulated, probably garbled and falsified, by George McHenry, the Liverpool agent of the Confederate States. I never learned the title of that book until to-night.

The gentleman says that New England prosecuted the slave-trade, and that through her entreaties it was continued till 1808. What says Alexander H. Stephens, the Vice-President of the Southern Confederacy? In the speech which I had just read, he says: "When *we of the South* wished to continue the slave-trade, or the importation of Africans for the cultivation of our land, did they not yield the right for twenty years?" Yet the gentleman brings you a book prepared and published in England for the purpose of making sentiment against our country in foreign lands, a book in which the statements are maliciously and infamously garbled to make foreign nations believe that New England, and not the South, began the war.

He tells you that he is "the white man's friend." Then why, in God's name, has he steadfastly resisted the use of the black man as sailor and soldier? "The white man's friend!" Then why not let the black man fight? "The Northern white man's friend!" Then why not let the Southern States send their quota into our army? Why force Pennsylvania and her Northern sisters to furnish all the men for our armies? I claim to be the friend of MAN, to stand by the Constitution of my country, and I believe that this war is to maintain for you and your posterity the whole of your country; and I also believe that, by fighting it out to a just settlement, we shall preclude the possibility of war again in your time, or till the latest generation of your posterity. The gentleman wants peace and proposes to secure it by establishing along our whole border on the line of the Potomac and the Ohio an armed Confederacy, a formidable military power, so that we shall have to keep along the whole line an army to meet the force they may at any time send over to burn our cities and villages, as they burned Chambersburg, and as they threatened to burn Philadelphia, if they had not been stopped at Gettysburg by Meade and our great army. Did they not avow their purpose to burn Philadelphia and New York! and would they not have done it, I again ask, had not Meade and his noble army checked their progress? Yet the gentleman, being "the white man's friend," would not let the negro take a musket to resist their approach or aggressions! He is so much "the white man's friend" that he would take from you and your posterity the public land lying in all the Southern States, and give it to the slave-drivers! Where is the evidence of friendship for the white man in facts like these?

Are you, my fellow citizens, willing to acknowledge the independence of the Southern Confederacy? If you are not, you will say that we must carry on the war. And if we carry on the war, must it not be carried on by men? And if it must be carried on by men, is it not better for the white men of the North that the negroes should carry it on than that you should do it? The gentleman must mean one of two things: He means, either that you must fight to save the negro and your country both, or that your country must be divided, and the graves of your brothers and sons who have fallen in the service lie under a foreign flag and in a foreign land. One of these two things he must mean, and I ask you who have heard him to say which.

He has spoken for an hour and a half—spoken, I grant, with eloquence, with learning, with dignity, with wit, with humor; but has he told you how he is going to save the country? He says he is for peace; and he wants to "save the white man." Is it saving you to rob you of your patrimony? Is it saving you to dishonor the memory of your Revolutionary forefathers? Is it saving you to give away your country? Is it saving you to establish along a thousand or fifteen hundred miles of frontier, a foreign nation, against which we shall always have to be armed and prepared? How does he propose to save you? He has attempted to play upon your prejudices against the negro and the abolitionist; he has been humorous at my expense; but he has been as careful to avoid all legitimate argument, all statement of the manner in which he proposes either to accomplish peace or save the Union, as a burnt child is to avoid the fire. He has never come to the question or near it.

He has dwelt upon "the coming man," and insisted that I think the negro greater and better than any one else. Any child in your public schools who can read the speech of mine which he quoted would understand from it that I meant that if we could overcome the Democratic prejudice and take the negro as a soldier, he would fill our armies and enable us to drive the rebels from the field. His manhood had been denied, and I saw that it was about to be admitted, and spoke of him as the "coming man." But my distinguished friend and the other Democratic leaders were then, as now, engaged in firing your prejudice against the negro, and urging you not to consent to his enlistment. In the passage he cited I lauded Grant, Meade, Banks; and every General of whom I spoke, even Butler, whom the gentleman denounces as a "beast."

Mr. Northrop—Did I apply that term to General Butler?

Judge Kelley—I do not know whether the gentleman used that precise term; but at the Spring Garden Institute he spoke of the odiousness of Gen. Butler and strove to overwhelm his name with terms of ignominy, though he may not have applied to him the epithet "beast."

In the speech referred to I lauded all the Generals who had then distinguished themselves

in commanding our armies; but I said there was work which they could not do, because they are not ubiquitous, and went on to tell how negroes could be obtained in Mississippi and the other Southern States, and how by making those States furnish their quota, we should get the men we required, and should thus be enabled to put down the rebellion. I asserted the manhood of the negro, and his fitness to be a soldier, and I asked that he might thenceforth be recognized as a man. That, I repeat, is what I meant by the phrase, "the coming man." And yet the gentleman played on that phrase for ten or fifteen minutes, to make you believe that I love the negro better than the white man. I leave the matter to your judgment.

He tells you that Mr. Pettigrew, of South Carolina, stood up for the Union until Mr. Lincoln's Emancipation Proclamation crushed out all his hope. I do not know how often the gentleman corresponds with Mr. Pettigrew or other distinguished gentlemen of South Carolina. I never had any acquaintance with old Mr. Pettigrew; I do not know whether he is dead or alive; but I do know that the public papers, quoting from the journals of South Carolina, told us of his death and burial before Abraham Lincoln issued that Proclamation.

Has not Jeff. Davis said over and over again that the only basis of peace to which the South will consent is the recognition of Southern independence? Every one who speaks authoritatively and officially for the Confederacy declares that terms of peace, to be considered by them, must acknowledge Southern independence. And they claim that their Confederacy embraces Kentucky, Tennessee, Missouri, and Virginia. Let me ask you whether you are in favor of putting Maryland out of the Union, of putting Kentucky, Tennessee, and Missouri out of the Union by transferring them to a foreign Confederacy, to bring its line closer to your doors, and to strengthen its martial power? No; the gentleman is wrong—it is not President Lincoln's Proclamation, but Calhoun's dogma of State rights adopted into the creed of the Democratic party; it is the devotion of the Southern people to slavery, and the contempt of Northern Democratic leaders for the laboring masses, to which we are to ascribe our difficulties. At the coming November election let it be seen that every State in the North goes solidly for Abraham Lincoln and the prosecution of the war, and "that old coon," the Southern Confederacy, will say, as its prototype did to Captain Scott: "There is no use firing your gun; I will come down. I thought that McClellan would be the man." The Chicago platform promises them independence; the Chicago platform condemns the war as a failure; the Chicago platform promises an armistice—the resort to the speediest means for the suspension of the war. That which nerves the armies of the Southern rebels more powerfully than musket or sword, cannon or ammunition, is their knowledge that there are able men, like my competitor, going all over the North pleading their cause, and their hope is that the North will yield to them on election day, and that they will thus secure by the ballots of the Democratic party what they have not been able to win by the bullets of their soldiers—the independence of their Confederacy.

The gentleman says that Mr. Lincoln's Emancipation Proclamation destroyed the last vestige of Union sentiment in the South by "inviting the negroes to rise in armed insurrection and cut their master's throats." I know the gentleman did not make that statement deliberately. You can all read that Proclamation, and I ask any and all of you to call at the building of the Union League, in Chestnut street, Philadelphia, and obtain a copy of it. In that document the President, after proclaiming freedom to the slaves and promising them the protection of our flag, expressly enjoins them against any acts of unnecessary violence. If we had continued to refuse all sympathy for the slave, and if the war had gone on until the fighting power of the whites of the South had been exhausted, there was danger of armed insurrection among the slaves and free blacks; and in order to avoid that, the President in that Proclamation did what Alexander H. Stephens warned the people of the South it would be the President's duty to do—invited the people of the South, white and black, to come to the flag of the country; he offered them all arms, and he expressly warned the slaves, whom by that instrument he freed, that they should not unnecessarily commit any act of violence.

Now, what is the use of misrepresenting a great State paper to intelligent people like you? Most of you have read it, and all of you can get it. I promise to send to the postmaster of this town a hundred copies, that any of you who wish a copy may get it.

The gentleman tells you that 17,000 Northern men have been arrested. I deny it; but if such were the fact, and if they were all as guilty as the scoundrel towards whom his sympathy flowed out so freely when he told you how the detective officer had tracked him, they all deserved to be arrested. The incident to which the gentleman referred occurred, if I remember rightly, in one branch of the Gilchrist case, in which certain men were detected in sending great quantities of percussion-caps to the rebels from New York and Philadelphia.

Mr. Northrop—That was not the case I referred to.

Judge Kelley—That is the only case of the kind I have ever heard of. The rebels were short of percussion-caps, and there was organized here in the North a conspiracy by which they were to get them. A detective officer went to one of the men concerned in this conspiracy, and, by a little lying, wormed the secret out of him. Thus we got an immense quantity of percussion-caps, to be used by our army in shooting rebels, instead of their being used by rebels to shoot our soldiers. I think that the result quite justified the artifice.

The gentleman objects to police officers. Why, I see all through your village these men with stars on. When a murder has been committed, the Mayor of the city and the Chief of Police gather about them their officers, and they devise every means to discover the murderer. In these efforts to apprehend criminals they often practise deception. Now, here are a body of men guilty of treason, the highest crime, and who are trying to murder freedom in the person of the greatest nation that ever existed. They burned our Chambersburg; they fought us for three days at our Gettysburg. Yet the gentleman has no word in condemnation of these men; but he is horrified that a man in the service of the United States should tell a lie in order to detect conspiracies against the life of the nation. He may well assure you that he does not argue for the Confederacy, because if he did not so assure you, I am quite confident that every one of you would hold him guilty of doing it. I cannot, for my life, escape the conviction that he is defending that cause, and none other.

Now let me say a word on the question of the wages of the people of the North. He tells you, working women, that the "rentless hut and hog and hominy of the slave" are more to him than the wages you are getting to-day are to you.

Mr. Northrop—No, sir, not to me.

Judge Kelley—The gentleman said that the hog and hominy of the slave are more to him (the slave) than the wages of the working women are to them.

Mr. Northrop was understood to dispute the correctness of this statement of his language.

Judge Kelley—I so understood the gentleman, and I so noted his remark. If you will allow me time till the reporter can refer to his notes, I am willing they shall be the test. The gentleman has said as I understood (and I have no doubt, my friends, that your recollection agrees with mine), that the slave's hut without rent and his hog and hominy are more than the sewing woman's wages. I deny it. The slave's hut without rent and his hog and hominy are no wages at all. The slave men and women of the South year by year pay, and more than pay, for all the clothing and food and medical attendance they receive by the children born to them. Take the value of the annual increase of slaves, and you will find that it far more than pays for all the hog and hominy and jail-clothes given to the slaves. They do not get a cent in the shape of wages: and the increase of their families more than pays for all the support they get. My God! has it come to this, that a man who is aspiring to Congress shall come here and tell our working women that their condition is more deplorable than that of those poor slaves of the South—that the slave's hut with hog and hominy is better for him or her than your wages are for you? Which of you will exchange your apartments for the slave's floorless hut, your apparel for her jail-clothes, with never a bonnet, and your fare for her "hog and hominy?" Which of you wishes for a master to sell your daughters for prostitution and your sons to lives of unpaid labor? He says he did not threaten you with the almshouse. I say that he did intimate that the slaves of the South are better off than you, because the Almshouse stares you all in the face, while the master is bound to support his slave in his old age. I have not the notes of the gentleman's remarks; but I am willing to go before this or the next audience upon the notes as they were taken by the gentleman at the table. He did not threaten each one of you, perhaps, with the Almshouse; but he was arguing in favor of the superiority of slavery when he suggested that the Almshouse gapes before the poor man who is dependent on his wages, in case of sickness. I say that the gentleman does but fairly speak out the honest opinions of the Democratic leaders. That is why they are willing to destroy our country; that is why they wish the South to succeed—because they believe that if we will yield now, we never shall stand up for our rights again, and that there will be an aristocracy established of which they may be members.

But on the question of wages I want to show you something. There are four millions of slaves in the South. They have had no money with which to patronize anything or anybody. They are not skilled in any of the delicate manufacturing arts of the North. Their earnings have gone to about three hundred and fifty thousand slave owners. The slaves have lived in their huts. They are described in South Carolina as eating without knives or forks or spoons, and without tables. Their clothes are coarser than those we give to the felon in the penitentiary or the pauper in the almshouse. Their food is aptly described as "hog and hominy," with blessed little hog in it! Here are four millions of people. We took the Japanese all over the country; we entertained them at the Continental, in Philadelphia; at Willard's, in Washington; and at the Fifth Avenue, or some other leading hotel, in New York. We expended almost a million of dollars in bringing them here, entertaining them, and sending them home. Why did we make that immense expenditure? It was to open trade with Japan—one of the most exclusive and distant countries of the world. Yet, here are four millions of people, lying just along our border; and for these nothing has ever been bought from us but the coarsest clothing, and, sometimes, when the corn crop was short, a little corn from the Northwest. This war, begun by the traitors to establish a Southern Confederacy and resisted by the loyal masses to maintain the Constitution, has made those negroes free. Now, counting eight of them to a family, there would be five hundred thousand homes. They live now in slave huts without latches or hinges to the doors, without window sashes or panes, without a wooden floor—without any furniture, save what the head of the family can make with the rough tools at his command. Give these people wages, give them a chance to grow cotton on their own

ground, as many are already doing,* let them in any way produce or earn enough to enable them to expend one dollar each per week, let them, I say, have, in addition to their hog and hominy,

* How capable of enjoying freedom the slaves are, and how much their freedom would stimulate Northern industry, and add to the resources of the country, may be inferred from the facts set forth in the following extract from my remarks on the bill to establish a Bureau of Freedmen's Affairs in the House of Representatives, February 23d, 1864.

"Gentlemen say that the bureau proposed by this bill is to be expensive to the government; that if the system could be made lucrative, they 'would love to do something for these poor blacks.' The blacks do not ask you to give them anything but work and wages. They wish to pay liberally for all beyond this. These men without a name, known as Tom, Joe, and Dick, have rented their one, five, ten, or twenty acres, and have produced a large amount of cotton, on which they pay the government a duty of two cents per pound. I find in Mr. Yeatman's report on the Condition of the Freedmen of the Mississippi the following statement on this subject:—

"I visited quite a number of freedmen who were engaged in planting cotton on their own account.

"Luke Johnson, colored, on the Albert Richardson place, will make five bales of cotton, and corn sufficient for his family and stock, and has sold \$300 worth of vegetables. He has paid all expenses without aid from the government. He commenced work last May.

"Bill Gibson and Phil Ford, colored, commenced work last May, and will make nine bales of cotton. They occasionally hire a woman or two, and have paid their hands in full, and found their own provisions.

"Solomon Richardson, colored, on the Sam Richardson place, will make ten bales of cotton. He has had one hand to assist him, and has a good garden and corn.

"Richard Walton, colored, will make seven bales of cotton. He has only had assistance in gathering it. He has no garden, but has provided for himself and paid for everything.

"Henry Johnson, colored, will make eight bales of cotton, doing all the work himself.

"Moses Wright, colored, will make five bales. He has had his wife and two women to aid him, and all have paid their own way.

"Jacob, colored, on the Blackman place, has made seven bales of very fine cotton, the best I saw, and equal to any ever grown in this section. He had some assistance.

"Jim Blue, colored, an old man, has made two bales of cotton.

"George, colored, aided by two women, has made eight bales of cotton.

"Milly, colored woman, whose husband was killed by the rebels, will make three bales of cotton. She had two boys to aid her in picking, at fifty cents per day.

"Peter, colored, and his son have made two bales, and raised a crop of corn.

"Ned, colored, will make two and a half bales of cotton, besides his corn.

"Charles, colored, will make two bales of cotton, besides his corn.

"Sancho, colored, works part of the Ballard place. I was informed he would make eighty bales of cotton. He works about twenty-seven men, women, and boys. I called to see him, but he was absent.

"Patrick, colored, on the Parron place, near Millikin's Bend, has made about twenty-seven bales of cotton. He has six or seven persons to aid him.

"Bob, colored, will make nine or ten bales of cotton on the same place.

"Prince, colored, will make six or seven bales of cotton."

"Adjutant General Thomas also tells us that he had leased fifteen plantations to freedmen, and that they worked them well and judiciously, raising from four to one hundred and fifty bales of cotton, on every pound of which the Government received a rent of two cents. I hold in my hand the account of sale of part of the cotton made by a number of these poor freedmen. It is from the second report of Mr. Yeatman—that on the subject of Leasing Abandoned Plantations:—

"Ample provision is made for such freedmen as desired to lease ground for themselves. Such as did it last year were eminently successful. I annex a statement of a few account sales of cotton grown by the colored lessees: the sales do not by any means include all grown by them; besides there are many others who leased plantations, or parts of plantations, for which no returns had yet been rendered.

	Bales.	Bales sold.	Netting
Samuel Howard	.	.	47
Edward Maxwell	.	28	.
Contraband	.	12	.
Twenty-two others	.	66	.
Silas Stepheny	.	27	6 \$1,401 35
Robert Cookley	.	7	3 790 43
York Horton	.	2	2 504 84
Sancho Lynch	.	75	29 6,897 43
Henry Harris	.	31	9 2,251 69
Sol Richardson	.	10	7 1,642 13
Luke Johnson	.	11	9 2,061 18
Richard Walker	.	5	5 1,247,60
Ben Mingo	.	14	2 580 61
William Goodin	.	4	4 1,023 94
L. White	.	28	25 5,838 60
Whole number of bales raised.	.	367	101
Net proceeds of 101 bales sold	.	.	\$24,239 80
Average of 276 " at \$240	.	.	66,240 00
			\$90,479 80

"Poor Contraband, having twelve bales of cotton as working capital, may yet hope to earn himself a local habitation and a name.'

"Under General Thomas' arrangements these people were hired at seven dollars a month for an able-bodied man, and five dollars for a woman. Under the influences which originated this bill their wages

one dollar per week, and how much would the North get of it per annum? It has been said that the negro is as imitative as the monkey; and I tell you that there is a great deal of human nature in the negro race, especially those who are the children, and grand-children, and great-grand-children of white people. Better the condition of these people, and give them money to spend, and they will begin to want what the white folks have. They will not be content to live in huts with earthen floors; they will want wooden floors. And when they get wooden floors, they will want to follow the example of the white people, and have carpets on them. Now, what harm would it do to the carpet-weavers of Manayunk and its vicinity to have five hundred thousand new houses to carpet, even if the money did come from "niggers?" Would it hurt wages? Then these people would want sashes and glass in their windows; and what harm would it do to the glass-makers of New Jersey that five hundred thousand little houses required window glass? The colored women, instead of wearing jail or almshouse garments, would want neat and respectable dresses; and they might even want these rotund skirts. I don't know what you call them. I guarantee that they would want everything of the kind that they could get: and I ask you, what harm it would do to have the women and the girls of four millions of people added to your customers for muslins and the other goods which you manufacture? What harm would it do to you to have the men and boys of four millions of people wearing good cloth clothes that you or others like you had woven? They would want knives, and forks, and spoons. They would want all the comforts of life. Again, in my district, along the Wissahickon, there are great paper manufactories. Now, among the eight millions of whites in the South, there are nearly a million of adults who cannot read and write, and no one of the four millions of blacks has been allowed to learn to read or to write, though occasionally one would steal the knowledge. Pray, tell me what harm it would do to the paper-makers along the Wissahickon to have five millions of new customers for school-books and newspapers? What harm would it do to the makers of printing presses and printing ink, to have all the poor whites and all the blacks of the South buying Bibles, and Testaments, and hymn-books? If, then, I say, the freed slaves should receive from agriculture, commerce, or labor at wages, an average of a dollar a week over and above what they expended on matters produced in their neighborhood, the North would get it nearly all for articles she produces. There are more than four millions of them, and there are fifty-two weeks in the year; so that there would be over two hundred millions of dollars to be expended yearly by these now destitute people living along your borders, in stimulating the industry and the commerce of the North. And I again ask you what harm it would do? I ask you whether, with two hundred millions of dollars of additional custom thrown into the North, there would not be a better chance of raising wages than there will be if you should acknowledge the independence of the Confederacy and agree to catch these poor men and women, and reduce them to slavery, to labor without wages under a system by which the price of their children pays for their poor food and clothing. I ask you whether, with these people free and seeking the advantages of education, and a higher social life, there would not be a better chance for raising your wages than there would with them in slavery. Let us, then, maintain the unity of our country and the freedom of all its people, and it shall become so grand that the world will fear us—so powerful that no traitor will dare to raise his rebellious voice. But if we allow the rebel States to go in peace, and establish an armed Confederacy, with a standing army of half a million of men, so that day by day, week by week, and year by year, we shall be surrendering our sons and brothers to keep up our standing army, and the half of our earnings to feed our soldiers and sailors, what better will we be than the poor people of Great Britain and Europe?

My fellow-citizens, I, too, am for peace; but I am for peace when the last armed rebel shall have laid down his rifle; I am for peace when the last fortification constructed by the traitors shall be surrendered to the government. I am for peace when the star-lit and heaven-illumined flag of America shall float proudly, freely, and unassailed from one extremity of our country to the other, and every man shall acknowledge it as the symbol of the power and supremacy of the government of the United States.

have been raised to twenty-five dollars for a first-class, twenty dollars for a second-class, and fifteen dollars for a third class man, and women of the same character, instead of being compelled to labor for five dollars, now get eighteen, fourteen, and eleven dollars."

Reply of Hon. William D. Kelley to George Northrop, Esq.

IN WEST PHILADELPHIA HALL, THURSDAY EVENING, OCTOBER 6, 1864.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

It is very fortunate, my fellow-citizens, that no question of veracity can be raised between my distinguished competitor and myself. What statements we have made do not depend upon the word of either of us. The witnesses are more than a hundred thousand to testify to the incorrectness of his representations of my presentation of the case at previous meetings. These good gentlemen (at the reporters' table) have noted every word. Four of my addresses have been published in the *Evening Bulletin*. The fifth is in type for the issue of to-morrow. Three of them have been published in pamphlet form, and distributed to the number of ten thousand each. Then there are the people who have heard us. I invite you to get the reports of what I have said, and see how utterly wanting in all the elements of fair statement the gentleman's narration has been.

I have said at no time that "this was a war for the wages of the negro." I said that it was a war growing out of the conflict of two orders of civilization, and that it was made by the friends of the weaker and baser order; that it was a war between, on the one hand, an order of civilization which claims that the laborer ought to be owned by the capitalist, and, on the other, our Northern system, which holds that every man, woman, and child is entitled to, and may by law collect, wages for all the work he or she does. I said that the owners of their laborers, finding that our free civilization was building us up into a great people in contrast with them, had determined to violate the Constitution of our country, and rob us and our posterity of more than half the territory which we inherited from our patriot sires or purchased with our money, or our blood shed on the plains of Texas and Mexico. I have pointed to the facts that South Carolina seceded seventy-six days before Abraham Lincoln became President; that the Southern Confederacy was organized nearly a month before James Buchanan ceased to be President, and that on the 12th of April, 1861, one month and eight days after Abraham Lincoln had been inaugurated, "his Southern friends and political brothers" had fired upon the flag and begun this war for the extension of slavery and the extinction, so far as concerned the Southern States, of the right of the laboring man or woman to wages, whether that man or woman be white or black. These are my positions; and you will find what I have said in print; and I beg you to read my remarks and say whether or not I am a truthful man in giving you this statement. Thus I refer you to a hundred thousand witnesses.

The gentleman told you (and he was excessively facetious; he provoked the mirth of the youngest boy in the hall by telling you) that I had said that I had looked over the *Globe* and could not find John Quincy Adams's Jubilee Address, and that I would not have found it had I looked for it in Watts's *Hymn Book*. He will pardon me if I tell you that I said no such thing. What I said was this: that inasmuch as he had misquoted that address I had brought the *Globe* to show the misquotation. Having the matter in question in the *Globe*, and not owning a copy of the address, I had taken the pains to take this big volume into one of the city libraries and compare what is here with the address; and I preferred carrying to the discussion my own book to taking a borrowed one that some friend might have got out of the library for me. My expression, on the second night of our discussion at Manayunk, was, that I regretted that I had not with me a volume of the *Globe* which I had had with me on the first evening, that I might show the manner in which the language of Mr. Adams had been garbled and misquoted. It may have been very funny that I should speak about the *Globe* in that connection; but was it not perfectly natural?

Now, my fellow-citizens, you have heard my competitor utter no one word to-night in favor of the union of the States. He did utter one phrase that he has never used before, and it involves a principle that he has never before acknowledged. He spoke to-night "of peace and union." During the six discussions which we have previously had he has spoken of peace only, and then of reconstruction; that was, as I understood, peace and disunion with reconstruction or union possibly to follow. The experience of six nights has brought him from peace and future reconstruction to talk to you about "peace and union." He is making some progress in patriotism.

You have, as I was saying, heard him utter no word in behalf of the Union cause. You have heard him utter no word of censure of the traitors who took their States out of the Union and organized an armed confederacy to make war upon you, your country and your flag. You have heard him utter no word of condemnation of that Secretary of the Navy who, while he saw that confederacy organizing, handed over to the rebels the twenty-seven finest vessels of your navy, and sent all the rest but the four smallest across the broadest seas that would bear them from your country. You have heard him say not one word against that President and that Secretary of War who stripped the Northern arsenals of arms and ammunition and gorged those of the South in the very hours in which Southern traitors were preparing to go out of the Union and make war upon us and our Government. You have heard him utter no word of condemnation of that President, that Secretary of War, and that Administration, that kept Twiggs in command of half your army at New Orleans after he had written to them that he was a State rights man, and that if they left him in command of the army, and Texas should retire from the Union, he would feel it to be his duty to surrender his army to the authorities of that State, or to the authorities of any confederacy which she might enter. No fact in history is better established than that General Twiggs did, in the month of November preceding Abraham Lincoln's inauguration, notify the President, James Buchanan, the Secretary of War, John B. Floyd, and Adjutant General Cooper, in the very terms which I have repeated, Yet they allowed him to retain command until Texas did go out; and then, as every one knows, he did, in pursuance of the notice which he had served on the administration, surrender the whole of his army to the Confederate Government, and thereby give them a stock of prisoners, so that the first they captured from us at Ball's Bluff and Bull's Run were kept more than a year and until we could get enough to exchange them. Yet the gentleman has no word of condemnation for any part of this! no word of condemnation of the men who burned Chambersburg—no word of condemnation of the men who kept our armies fighting for three days on our own soil around the quiet little village of Gettysburg, and who announced that if they were not stopped, they were going to sack your homes and mine, and burn Philadelphia as they did afterward burn Chambersburg.

You have doubtless seen men at the street corners distributing bills stating what the price of matches among other things used to be, and what it is now; and my distinguished friend has brought you a newspaper, probably from the same press (for it is No. 1 of a paper that has never been heard of before), to show you how much the laboring women are suffering under our Government; and in this connection he found it agreeable to sneer at greenbacks. That has been his policy all the way through. He has not uttered an argument that has not been in defence of or apology for the rebellion. He has no word of encouragement for your sons and brothers who are carrying the flag of our country forward to victory and to the establishment of a peace that shall never again be broken by traitors. I, on the other hand, met him fairly, and have shown how the rebellion and the Confederacy had been organized, and that Mr. Buchanan, in the beginning of December, 1860, sent a message to Congress announcing that there was no power in the Government to maintain itself, and that if the Union men of the South should undertake to stand up for their Government, he would neither protect nor aid them. I have also read the opinion written by the Democratic Attorney General and sent to Congress with that message—an opinion concurring in Mr. Buchanan's doctrine that the Government had no right to protect itself and defend your country. I have also pointed the gentleman to the conduct of General Jackson when the State of South Carolina undertook to nullify a law, and showed him how "Old Hickory" had sworn that "the Union must and shall be preserved," and how he had found in the Constitution the power to make that oath good. I also showed the gentleman that he was uttering the doctrines preached by Benedict Arnold after he became a traitor, and read Arnold's proclamation in which he told the people that they had no rights which had not been violated; that their sons and brothers were being dragged to the war under delusive promises; that freedom of speech had been suppressed; that the freedom of the press had been interfered with; and that in that appeal of the traitor Arnold after he had attempted to betray our country, was to be found (though it was not so long as my hand), every argument that my friend and the great leaders of his party are putting before our people now. I also read from a volume of authentic history, an account of the manner in which Andrew Jackson had suspended the *habeas corpus*; and not only that, but had arrested and imprisoned the Judge who issued the writ. I also read from the Congressional Debates parts of the proceedings on a bill introduced by Charles J. Ingersoll, a Democrat from Philadelphia, to remit and refund the fine which had been imposed on Jackson for thus suspending the *habeas corpus* and imprisoning the Judge, and the burning words of Stephen A. Douglas in advocacy of that bill, and in defence of the constitutionality of the course pursued by Jackson. And in this connection I told the gentleman what the old men among my auditors know, and what the young men ought all to know from study, that Stephen A. Douglas made his fame by defending the constitutionality of Andrew Jackson's suspension of the *habeas corpus*.

I have met the gentleman's propositions and interrogatories, and have replied to them all, save, perhaps, one single question that escaped my notice, by reason of the expiration of my time. I have answered the gentleman fully and broadly in reference to the Monroe Doctrine.

In reference to one of his propositions I put the question to him, whether it was transcendentalism, metaphysics, or nonsense, and I showed him why I could not get at the sense of it, and asked him to explain or modify it, that I might answer it. I have appealed to him night after night to make good one assertion contained in another of his interrogatories, and he has utterly failed to do it. Time and time and time again have I asked him to show me any one law of the kind of which he says in one of his questions there are twenty-three on the statute book. He is a lawyer; he has twice brought to the place of our discussion his digest; yet he has utterly failed to find one such act. And I ask him now, in your presence, to point out to-morrow night one law "having for its object the declared purposes of giving to the negro all the rights, immunities, and privileges which have hitherto been enjoyed by the white man only." If he finds one law of the kind of which he asserts there are twenty-three, I will say that I know nothing about the legislation of that Congress of which I have been a member. Yet he tells you that he has been boring at me as though it were with an auger, and that all he could get out of me was "wages for the negro."

The gentleman is doing what the Southern leaders did before the rebellion; he is appealing to the passions of his party to destroy our country; he is appealing to your prejudice against the negro; he is fomenting a prejudice against New England; he is fomenting prejudice against the Government and against its currency, in the hope of giving success to the Southern rebellion; and in the course of this debate he has used as his authorities books gotten up by the rebel chiefs to delude the Southern people, and by one of their agents in a foreign country to poison the minds of European nations against us.

That is strong language, gentlemen, but when you read one of the gentleman's early speeches, those of you who have read one of Fernando Wood's, will find that he quoted from that speech or from the book from which Fernando got it (and if so, he curiously hit upon just the same quotations that Fernando made) a lot of falsely alleged sayings of prominent Northern supporters of the Administration and members of the Republican party; and that he classed Wendell Phillips and Lloyd Garrison in their early days as members of the Republican party, and ascribed to the Administration party the utterances of those men made twenty years before the Republican party was organized, which was in 1854. I said to the gentleman as soon as I could get the floor, "The alleged quotations which you have read from Republican members of Congress are not authentic; for when Mr. Wood had those extracts read by the clerk in Congress, several gentlemen to whom they were ascribed arose in their seats and denounced them as false, and asked Mr. Wood to say when or where or in whose presence they had been uttered." Yes, the gentleman is going around among the working-men of Philadelphia, on the eve of this great election, and employing the forgeries that the Southern leaders used to "fire the Southern heart," in the hope of creating a fatal prejudice against the Government.

Now, I come to the *Globe*, and will prove by it that John Quincy Adams never uttered the sentiments which the gentleman read and ascribed to him. Yet what the gentleman read was, so far as it went, the very language of John Quincy Adams. So, as I remarked the other night at Manayunk, the man quoted the very language of the Bible when he said "there is no God," but he omitted the words immediately preceding, which were, "The fool hath said in his heart;" and thus by cutting off a clause of the sentence he made the book lie, although he quoted its precise language, so far as he went. Thus, by altering a question into an assertion (there is a great difference between putting a question and making an assertion), and by omitting the words which I am going to read, he satisfied me for the time that in some vagary, in some moment of fantasy, John Quincy Adams had argued in favor of secession.

Do you know how my friend came to do this? He is too much of a gentleman to falsify the record. He has been my friend for years, and I know that he would no more concoct a thing of that kind than he would forge my name to a note. But when he adopted a bad cause, he took the books of the promoters of that bad cause; and when he took the book of George McHenry—a traitor, though he was of Philadelphia birth, a man who is to-day the agent of the Confederate Government in Liverpool—he had the lie ready coined; and he would not have read it, had he known it to be the forgery it is. Mark what I say; the gentlemen is travelling around and peddling out to the Democracy of Philadelphia the forgeries and the frauds got up by the leaders and the agents of the Confederacy with which we have been at war for nearly four years.

Now, by converting one sentence of Mr. Adams which was a question into an affirmation, and by omitting these words, the fraud is perpetrated:—"In the calm hours of self-possession, the right of a State to nullify an act of Congress is too absurd for argument and too odious for discussion. The right of a State to secede from the Union is equally disowned by the principles of the Declaration of Independence."

Yes, the author of that paragraph was quoted by the gentleman to prove that a State had a right to secede! Mr. Judah P. Benjamin, in preparing a document to "fire the Southern heart," made misquotations from twenty or thirty Northern men. His speech is contained in this volume (*The Congressional Globe*). The late Brigadier-General Edward D. Baker replied to that speech, and pointed out the forgeries and the frauds, of which this alleged ex-

tract from John Quincy Adams was one. I made a comparison with the original, and proved the version given by Senator Baker to be correct.

Now, I say, my country is at war, and I am for my country right or wrong. If she is wrong, I will try, when the war is over, to put her right. She is, however, at war for my rights. She is at war for the richest heritage my children can have; the memories of our early history and the Revolutionary struggle for freedom. She is at war to maintain my rights and your rights in the Southern States. We have the right, under the Constitution, to citizenship in every Southern State. You were not all born in Pennsylvania, even though you will vote here on next Tuesday. Some of you are natives of Southern States, some of Eastern States, some of Western States. But the Constitution of the United States gives to the citizens of each and every State the privileges and immunities of citizens in the several States. Therefore I have a right to go as I did to Massachusetts, remain there four years, meanwhile becoming a citizen, and then to return to my native State and in six months resume my citizenship here. If, because wages are low here, or for any other reason, you or I wish to settle in Virginia, in North Carolina, in South Carolina, Georgia, Mississippi, or other State, we have the right to do so, and the Constitution guarantees to us, in any State to which we may go, the rights of citizens. And yet, in view of the fact that the war is for these great rights of ours, my friend rose in holy horror and confessed before the people of Spring Garden that he has an utter "repugnance to bayonets and knocking men's brains out." He makes this declaration that the Southern members of his party may be encouraged in their efforts to rob you of citizenship in fifteen States of your country, and strike fifteen stars from its flag; and in order to delude you to follow him, he tells you this is "a war for the negro." Was South Carolina fighting for the negro when, on the 12th of April, 1861, she fired on Fort Sumter? Was the Confederacy preparing to fight for the negro, when its Secretary of War, on the receipt of the news at Montgomery, Ala., that Sumter had fallen, proclaimed to the gaping crowd that before the 1st of May ensuing "the stars and bars," the flag of that Confederacy, would float over the proud Capitol of your country? Was it the Abolitionists that made this war? It was the Southern traitors—the women-whippers and men stealers of the South—the people who do not believe that the laboring man ought to have wages for his work.

Now, let us look at the question philosophically. In the South there are less than four millions and a half of people with African blood in their veins. Among them are the sons and daughters of those who claim to be the best white people of the South. I had occasion to tell the gentleman that we have within our lines the colored children of Jefferson Davis and his brother, Joseph Davis, and that the mulatto daughter of General Robert E. Lee has frequently waited upon me at the Arlington House. I also had occasion to tell him that eighty-one per cent. of the free colored people of Louisiana have white blood in their veins, and that seventy-eight per cent. of the free colored people of Alabama have white blood in their veins. And that in the veins of more than one out of every ten slaves pining on plantations there is white blood. I ask the gentleman by what process that blood was got there.

Mr. Northrop—I have not been there and I cannot answer.

Judge Kelley—The gentleman says he has not been there and cannot answer. I suppose he thinks that white men went there and had their blood drawn from them, and then drew a little out of each "darkey" and pumped the white blood in! I am sure that he thinks it was done in that way. He is evidently a believer in the theories of Dr. Sangrado.

These negroes (some of whom are as white as we are and in whom you cannot trace a spark of negro blood) number in the aggregate four millions and a half. Of the white people of the country the whole number is about twenty-six millions. Yet the gentleman thinks the four millions and a half of negroes so much more sacred and important than the twenty-six millions of whites, that he insists upon it that the war is for them! Does your country belong to the negroes alone? Was it for the negroes alone that our sacred Constitution was made? Was it the negroes that bought Florida from Spain, and Louisiana from France, and conquered Texas and admitted her to the Union? No, my fellow-citizens, the negro had no voice in it all. It was we and our ancestors who did it; and it is our property that the rebels are trying to get; and the gentleman is trying to cheat you into giving it to them by reading from those books and pamphlets manufactured to "fire the Southern heart" and embitter foreign nations against our country.

The gentleman tells you that his theories are such as will keep Northern soldiers at home hereafter. I have asked him night after night to explain that assertion. Do you mean, sir, (addressing Mr. Northrop) to fight the war to the end until our flag shall wave triumphantly over every foot of our country, and that you Democrats will fight it out more vigorously than we? Or do you mean that, when you get into power, you will surrender to those whom we have driven from the day McClellan left the command of the army? What do you mean when you say, "My theories are such as will keep the Northern men from filling soldiers' graves in the South hereafter?" What do you mean? Are you not opposed to using the negro soldier; are you not opposed to sending white soldiers to fight, and would you not bring home those who have gone to the front? My friends, are you ready to give up your country and strike fifteen stars from your flag? That is the only way he can redeem his promise. Is it not an agreeable proposition to you who have been fighting three years?

"My theories are such as will keep all Northern soldiers from filling Southern graves hereafter!" How, sir? What are your theories? Explain them here; for I have not been able to induce you to announce them elsewhere. I know that you are opposed to the use of the negro soldier. I know that you have denounced it, and denounced the legislation by which it has been done, and sneered at me for the part which I have taken in that legislation. Now, if you will not let the negro soldier fight, and if you will not let the white soldier fight, tell these people that you are for the Confederacy and its independence, and that you will hail with joy the "stars and bars" when first they float over our capitol. So help me God, I never will. I am for war to the bitter end, as the only sure means of achieving peace. And if the Democratic party had not made their infamous peace platform at Chicago, and pledged an armistice in case they should come into power, the vigorous blows that Sherman and Sheridan have given the traitors, and the tightness with which Grant is drawing his patent Vicksburg cord around them, would have crushed the rebellion before to-day. Even as it is, the men of Georgia are seeking terms of peace; and Sherman is treating with them as to the means of getting to Washington. The rebellion is crumbling. Its only hope is in the oratory of men who pledge themselves that when they get into power, "no Northern man shall go to fill a soldier's grave in the South." If I had twenty sons and brothers, I had rather see the last of them die mutilated upon the battle-field than that, after three years of such glorious war as we have had, our armies should fall back, and we beg pardon of the men who fired on Fort Sumter for having been so bold as to defend our country and our rights.

The gentleman has sometimes said that those who talk of going to the war ought to go. He has never challenged me directly that I did not go. I am a little over fifty, and never was very strong; but, being here, I do remember one night when I said to many of you, "Come, boys, let's go!" And with my rifle and knapsack I went, and had the honor of at least a crack or two at the rebels. I am over age, and physically disabled; but I have pleaded with my best friends, and with every brave boy that I love, to go; and the great cross of my life is that I am not able to go myself, and have not a son large enough to go. Many of you, my neighbors, know my little fellow, and that I am so anxious that he shall go, if his country ever calls him, that (though he is now hardly knee-high to a bumble-bee) I have enrolled him in the Courtland Saunders Cadets.

What! no Northern man fill a soldier's grave? Do you [addressing Mr. Northrop] abhor the graves and the memories of the men who, during eight years, fought to achieve our freedom from British despotism? Do you regret that our fathers fought the war of 1812? Do you despise the men who during this war have gone out to die for our country, that here, where we are together soliciting votes, you tell these men that you will surrender their country, their flag, their Constitution, their honor, rather than let another man fill a soldier's grave? There are some things worse than death. I would rather die than have history record the fact that I sold my birthright for a mess of pottage; and he who sells his country for a cowardly peace is mean beside the man who sells his birthright for so small a consideration.

The gentleman talks of "our rights as Pennsylvanians." What are our rights? They are such as the Constitution guarantees us; and I challenge him again to-night to point to a single right invaded by Abraham Lincoln. I have been challenging him time and time again. To-night, when he professed to answer, what catalogue of wrongs did he present? He substantially read the first article of the amendments to the Constitution, and added that Mr. Lincoln had "interfered with the freedom of religion." I ask him when, where, and how? I ask you, my Democratic fellow-citizens, whether you have ever heard of Abraham Lincoln interfering with the religion of any man. I ask you whether, in assigning chaplains to hospitals and regiments and the regular army, he has not regarded every denomination. Do you even know exactly what his religion is? Then, again, the gentleman says that Mr. Lincoln has interfered with "the freedom of speech and of the press," and "the right of the people peaceably to assemble and petition the Government for a redress of grievances," etc. Why did not the gentleman simply say that Mr. Lincoln has violated the first article of the amendments of the Constitution, and then specify the manner in which he has done it? "And," said he, "he has established unusual punishments, such as banishment." He has banished but one man, Clement L. Vallandigham. Did he do that illegally or unconstitutionally? Let us look at the question. What were the facts? In a time of war, a Major-General commanding a department had made a proper military order, and Clement L. Vallandigham urged the people to disregard that order. He set himself up against the act of Congress which provided punishment for those who interfered with enlistments; he set himself up in opposition to the commander-in-chief of a department, and urged the people to insubordination and resistance to the general commanding the army. He was arrested, and a military commission inquired into his case. The President did not send him to prison; General Burnside did not send him to prison. He was taken before a military commission, attended by counsel, and had a hearing. He had witnesses in his behalf, and he cross-examined the witnesses against him. There was a regular finding of the court, and he was adjudged guilty. Was he hurried off then? No; he sued out a *habeas corpus* from Judge Leavitt, a judge appointed either by Franklin Pierce or James Buchanan (I forget which) as district judge of the United States for that district. He had a hearing before Judge Leavitt, who decided that his arrest was legal, that the commission

before which he had been tried was legal, and handed him over to the punishment to which the commission had adjudged him. Now, the President, more lenient than the commission, instead of confining him, sent him to the friends whose wicked cause he had been sustaining. That was his punishment. There is the whole case, and I challenge the gentleman to point to a more constitutional act than that.

It won't do for a man who claims to be a patriot to come here, and slander and revile and vilify the Government and all its officers when it is in the agony of a great war. It is not patriotic, it is not wise; and you, my fellow citizens of the Twenty-fourth Ward, whose sons and brothers, and kinsmen and friends are under arms in this great war, will not sustain any man in such a course. It has been the custom of the gentleman on each occasion to assure the audience that he was not arguing in favor of the rebellion; and I have reminded our hearers that it was not necessary for me to give them any such assurance. I speak my convictions plainly, and I do not need to tell my auditors on which side I stand.

The gentleman, to frighten you from the further prosecution of the war in which we are engaged, speaks of it as interminable. It only promised to be interminable when we had a general who would not let our armies advance, who put them in a position where they could do nothing, and ordered them to retreat just when they were winning a victory, as was the case at Malvern Hill. From the time Grant has had command of our armies, their march has been victorious. Sherman holds the whole system of Southern railroads. There never will be another raid up the Valley. Grant is, as I have said, drawing his patent Vicksburg cord around Petersburg and Richmond; so that Jeff Davis, the first distinguished rat to desert the falling house of the Confederacy, has gone to Macon. Take away from the rebels, as I have said, the hope that McClellan, and the peace party may triumph, and they would "cave in" before the November election.

As I have had occasion to say elsewhere, the war began upon the banks of the Susquehanna. It was between there and Baltimore that the bridges were burned. The first time I saw the rebel flag it was floating over the little village of Havre de Grace, on the south bank of the Susquehanna; and then Ben Butler was sending troops down the bay and around by way of Annapolis, to protect our Capital. Maryland was against us, Kentucky was against us. Tennessee, all but the eastern part and including the Government and the power of the State, was against us. Missouri hung quivering in the balance, until Lyon determined it for us. We had not a foot of land in North Carolina, South Carolina, Florida, Louisiana, Texas, Mississippi and Arkansas—not a foot. Does not our flag now float proudly over parts of all those States? Do not the rebels proclaim that the lives of men are now invaluable to them? Have they not gathered into their armies their boys of fourteen and their men of sixty? So that, although I am not liable to draft or military duty here, I would have nearly ten years of it before me, if I were in the Confederacy. It does not make any matter whether a man has hair on his head or teeth in his mouth, if he is between the ages of fourteen and sixty, and within the bounds of the Confederacy, he must be a soldier. Yet the gentleman tells you that the war will be interminable. Oh, no! come out and say as I do, and induce your party leaders to say—that the war shall be fought for the supremacy of the Constitution over every inch of your country, and you will crush the rebellion, and there need be no more "Northern soldiers buried in Southern graves." It wants but that one gun to burst their Confederacy into thin air. Your sympathy is their last strong fortification.

The gentleman has reiterated to you his assertion of Saturday night, that the slave's house and his clothes and food are better pay than the sewing women of Philadelphia get. He phrased it differently on a previous evening, at Manayunk; he then said the slave's "rentless hut, with his hog and hominy, and clothes." Now, gentlemen, what is his rentless hut? It is a hut without glass in the windows, without hinges to the doors, with a clay floor, and with but one apartment. That is the slave's hut. What is his food? Turn to Stroud's Laws of the Slave States and see. You men who have been in the South as soldiers, know that it is coarse hominy and coarser hog, with mighty little of the hog! You know that the slave's apparel consists of one pair of coarse brogans, and not more than one suit of clothing in a year; and that it is such clothing as we give the felon and the pauper. That is what the slave gets for his year's labor. And the gentleman has the temerity to say that it is better wages than the sewing women of the North get? I deny to you, my fellow-citizens, as I did when the assertion was first made, that it is wages for labor at all. The slaves pay for all they eat and all they wear, and all the medical attendance they receive by the sale of their children. The increase of slaves every year by procreation more than pays for all the food, clothing, and medicine the slaves on Southern plantations get. They get no wages for their work. My God! men of America, has it come to this, that a man pleading with you for your suffrages shall tell you that women who dare not defend their own chastity, who cannot be married, but are forced to bear children, and whose children are sold in their presence—daughters to prostitution and sons to lives of unpaid labor—are better off than our working women of the North? He points you with horror to some alleged instance in which a sewing girl was seduced by her employer. Oh, my God! let him enter the slave-hut and see the slave's fair daughter—the slave with one-eighth of African blood and seven-eighths of white blood in his veins—his daughter, the child of a woman as fair as himself, and she as fair as either. There

he sits in his "rentless hut," and his master or his master's friend comes in, and before his eyes proposes to enjoy the first sexual embrace of that girl; and the poor father and mother dare not say "no." To ravish her is not a crime—she is but property. By the laws, as I read them at Manayunk, their testimony cannot be heard; they may not be examined as witnesses; and if they strike a white man, they are punishable with death. Imagine the father and mother of a poor girl in West Philadelphia sitting hand and tongue tied and seeing their daughter thus outraged. Yet the gentleman tells you that the sewing women of our community would be better off if they were only exalted to that condition. I do not agree with him. Nor do I believe that your wives and daughters will. This war, on the part of the South, was made in defence of slavery; and if, when the war is over, we let slavery live, it will make war on our children again. And, I say that every working man, whether he be white or black, is entitled to wages. I say that it is a crime to doom four millions of people to live without marriage. I say that it is a disgrace to Christianity and American civilization that a wife may be violated in the presence of her husband and he not dare strike her violator, or have the right to prosecute him for the wrong; and that a daughter may be sold for prostitution from her weeping mother and raving father. And I say further that, as those who lived and fattened by this accursed institution (which we—I with the rest of the Democratic party, down to 1854—protected) have made war upon the flag, let their accursed institution die, and when the war is over, let no man be able to assert that our flag floats over "the land of the free and the home of the slave!" But let it be the proud boast of every one that every American, without regard to his complexion, has wages for his work, and may strike in defence of his home, his wife, and his children.

I know that you agree with me. You may be a Democrat, and you may have believed me to be a "nigger worshipper," etc.; but I know that there is no man here who in the bottom of his heart does not say, "Well, after all, Kelley is right in that." For you believe in justice; you believe in right; you believe in punishing the traitors who have committed the greatest crime that the eye of God ever looked upon, in involving this great country and this happy people in this transcendently bloody war.

Now, one quiet word with you, workingmen, on this subject. Why is it that the emigrant ship that comes over here with laboring men from Ireland or Germany never goes into a Southern port? Are there not unoccupied acres there? Are there not coal and iron to be worked? Are there not broad rivers there? Is not the summer season longer and the winter season shorter? Then why do not emigrants go there? Why do they crowd into cold New England, where winter lingers for more than six months in the year? Why, instead of going into the port of Norfolk, where they can buy land at five and seven dollars an acre just around the city, do they come into Portland or Boston, and travel thousands of miles over expensive railways to get to the great Northwest? I will tell you why. It is because they come here to better their condition; it is because they come here to get wages for their work; it is because they come here to have their children educated in public schools, and that they may rise from the suffering condition they have endured in the Old World; and they know that in the South a system of unpaid labor exists; they know that they cannot go there and labor and thrive, because there the free white laborer is looked down on with contempt, and watched with keen eyes by jealous tyrants. Will a man, as I asked the other evening, employ a blacksmith at \$1.50 or \$2.00 per day when he can go into the market and buy a blacksmith for a thousand dollars, and make him sleep with the wenches, and keep selling his babies to pay for what he eats and wears? You form Trades-Unions here in the North and prevent men from working below a certain standard of prices; and you support your fellow-workmen while they are on a strike. There in the South are four millions of people who want to get wages, who want to join your Trades-Unions, who want to open that country for wages-paid labor; so that, instead of travelling a thousand or fifteen hundred miles over a railroad to find a field for his labor, your cousin, when he comes here from a foreign land, can walk right into the sunny South and settle down there. You Irishmen, especially, raise money to bring your friends out, and you know what it costs to get them to the distant West. These Southern laboring men, though their skins are not colored like your own, will, if they are free, want wages for their work, and will demand them; and when the Southern aristocrat gets accustomed to paying wages the white man will go in there, and the negro will go slowly down towards the tropics, his ancestral region. He never would have come here from the burning climate of Africa, but that despotism and violence brought him. Make him free and he will drift down toward the tropics and dwell again in the torrid climate of his ancestors, but on another continent. It is your interest, the interest of every laboring man, the interest of every man whose kindred are among the oppressed people of England, Ireland, Scotland, Germany, or any of the nations of Europe, that this whole country, from the Aroostook to the Del Norte, and from the Atlantic to the Pacific, should be free as it is in the North, and that the law should prevail by which every man, woman, and child that does an hour's work should be entitled to a fair hour's wages. That is what I plead for. The policy of the gentleman would shut out from these advantages the white emigrant coming from Europe, as well as the white man of the Northern city. He tells you that I speak only for the negro. Men of West Philadelphia, am I not speaking for you and your rights as Pennsylvanians? Refer to my

printed addresses, and you will find that if I have spoken only for the negro, as the gentleman says, it is because he considers you and all other working men negroes; for I have steadily spoken of and for the laboring man and woman.

Gentlemen, if I am too fond of the negro, it is because I am a Democrat and stand by the early teachings of the Democratic party. The last Democratic State Convention, which I attended, and which was held at Pittsburg, on the 4th of July, 1849, adopted this resolution:—

“Resolved, That the Democratic party adheres now, as it ever has done, to the Constitution of the country. Its letter and spirit they will neither weaken nor destroy; and they declare that slavery is a local domestic institution of the South, subject to State law alone; and with which the general Government has nothing to do. Wherever the State law extends its jurisdiction, the local institution can continue to exist. Esteeming it a violation of State rights to carry it beyond State limits, we deny the power of any citizen to extend the area of bondage beyond its present dominion; nor do we consider it a part of the compromise of the Constitution, that slavery should forever travel with the advancing column of our territorial progress.”

That was the platform of the Democratic party in 1849. Now, why was this war made? It was because the Constitution of the United States did restrict slavery to the States; it was because the slaveholders could no longer control the country; it was because they feared that white immigration might come into the South, and that under our naturalization laws and under the clause of the Constitution which makes a citizen of one State a citizen of every State, slavery might be interfered with by the free laborers who would thus become citizens of slave States, and have the right to interfere with it. Therefore they began to foster and disseminate the idea of a Southern Empire; and they did this solely for the purpose of excluding from the limits of the Southern States the right of the laborer to pay.

I have shown you where the Democratic party stood in 1849. In confirmation of the theory I announce, let me turn your attention to a little fact in our history and a little paragraph in Abraham Lincoln's Inaugural Address. When the men of the South threatened to secede, to establish a Confederacy and to make war, the men of the North—Republicans, Conservaties, Bell-Everets, all sorts of men except the Democratic leaders (and even some of them united in it)—tried to effect a compromise. They said to the men of the South, “We do not want to interfere with your institution of slavery in the States. When you wanted to import more slaves into the country, we, by a Constitutional provision, agreed that you should do it for twenty years. We have arrested your fugitive slaves and sent them back, unpalatable to us as it has been; we have scarcely ever asked for a President of the United States, allowing the South to fill the office nearly all the time. We have scarcely ever had a Vice President, allowing the South to have that office too. Of the Presidents *pro. tem.* of the Senate, you have had more than two-thirds. During the whole history of our Government you have had, without a single intermission, a majority of the Judges of the Supreme Court. Of the clerks, auditors, controllers, etc., at Washington, you have always had two-thirds. Now, we will go farther than this. We will agree to so amend the Constitution of the United States that the people of the United States shall never be able to interfere with slavery—that it shall be left exclusively to the people of each State, so that if all the States but one want to abolish it, they cannot force that one to do it.” The Southern leaders had professed to be afraid that by-and-by the Northern or non-slaveholding States would get a two-thirds vote and would alter the Constitution so as to abolish slavery. Here was a proposition to prevent by constitutional amendment the possibility of any such occurrence. The proposition was prepared and offered by Mr. Thomas Corwin (a very Black Republican from Ohio!), providing for such an amendment, and it passed both Houses of Congress by a more than two-thirds vote—very largely more. In the Senate the vote was 24 to 12; and in the House it was, I think, 133 to 65. But even this would not do. They went out. They said that the incoming President would not approve it, or something of that sort. Well, when Mr. Lincoln, having been duly elected President, came to make his Inaugural Address, he said:—

“I understand a proposed amendment to the Constitution (which amendment, however, I have not seen) has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that, holding such a provision now to be implied Constitutional law, I have no objection to it being made express and irrevocable.”

In the face of such action as this there could be no pretence that the people of the United States would interfere with slavery in the States. What, then, was their fear? It was, as I have said, that the flowing tide of emigration from Europe and from our great cities might come into their States; that the great mass of white people who might thus go there would become impatient of slavery; and that, being Virginians, they would demand that Virginia abolish slavery; being Marylanders, they would demand that Maryland abolish slavery; and that thus slavery would gradually be extinguished. Therefore, in order effectually to shut out Northern men from those States—in order effectually to prevent immigration—in order effectually to get rid of the naturalization laws, by which the emigrant from foreign lands becomes a citizen of the State in which he settles—they made war upon us. Their hope and wish was that their whole great empire might, as Mr. Stephens, the Vice President of the Confederacy, said, “rest on the corner-stone of human slavery.”

Now, can I regard the truth and escape from saying that this war is about wages? I have never said that it was about the negro. I deny that it is exclusively about the negro. It is about wages; and every man who lives by the sweat of his brow and the cunning of his good right hand—every man who expects to train sons to mechanical labor that by their ingenuity, skill, and industry they may make honorable livelihoods—has an interest in the question involved—in keeping open more than half our country to the enterprise, the industry, the ingenuity of those children of his. It is the white man's question. It is the white man's war. It is a war for the twenty-six millions of white men of this country and for the countless millions in Europe who look to this land of ours as a refuge from poverty, despotism, and oppression; and the negroes, blessed by it as they are to be, being but four millions, are but a drop in the bucket.

I now turn to the only one of the gentleman's questions which I have not fairly, and I believe fully answered: "Did you vote for and are you in favor of the act of March 3, 1863, entitled 'an act relating to the *habeas corpus* and regulating judicial proceedings in certain cases,' which allows the President's order to be an answer to any proceeding at any time?" I answer that I did vote for an act of that date relating to the *habeas corpus*, and will, so long as this war lasts, if I remain in Congress, oppose its repeal. It is a law for the protection of General McClellan for what he did, as well as of every other general who has served his country faithfully at any time. While Gen. McClellan was yet true to the great cause confided to him, it became his duty to arrest the Legislature of Maryland. They were about passing an act of secession. There were many thousands of the citizens of that State who held the same doctrine as old Twiggs and my distinguished competitor in relation to State sovereignty; they would stand by their State, if she should remain in the Union, and would go against the Union, with their State, if she should pass an ordinance of secession. It became known at a certain time that an ordinance of secession was to be sprung upon the Legislature the next day; and General McClellan, like a soldier, following a score of precedents of Washington and the one precedent of Jackson, to which I have referred, arrested the whole Legislature and sent them to a fort, and so prevented the passage of the ordinance of secession. Now, every member of that Legislature, on his release, might have gone before some Democratic judge of Maryland and sued Gen. McClellan for damages, and had him tried before a packed jury of Marylanders and mulcted in more than he was worth; and as there is imprisonment for debt in Maryland, they might have taken the commander-in-chief of our armies and put him in jail—the military power being, according to the gentleman's theory, subordinate to the civil power even in time of war.

We have a townsman, General George Cadwalader. His grandfather was a general in the Revolutionary war; his father was a general in the late war. He himself won the brevet of Major-General on the bloody field of Chepultepec. Doing his duty like a patriot-soldier, when he was in command at Baltimore, he arrested John Merriman, the man who fired the bridges between here and Baltimore and endangered our capital. That miscreant sued General Cadwalader, in a distant Maryland court, for damages to the amount of \$50,000 for that act, and they would have seized General Cadwalader as they would have seized General McClellan, and taken him to their court. Then we should have sent an army to release either of them, and there would have been such a conflict as Horatio Seymour has been trying to get up between the State of New York and the General Government. We passed a bill, the one in question, by which all such suits should be transferred from the State courts into the courts of the United States. That is the great point of that bill. Now, were we right in saying that General McClellan should not be tried in some obscure county court in Maryland, where there were none but Secessionists to sit on the jury? Were we right in saying that Gen. Cadwalader should have the highest court known to our laws to vindicate him, or to punish him if he had violated the law? To provide for this is the great characteristic of that act; and an additional provision is that, in any suit of this kind, the order of the President shall be a sufficient answer. And why not? Is not every general in the army bound to obey the Commander-in-chief? Would not any general be liable to be shot if he should refuse to obey such an order? And should we leave General McClellan or General Cadwalader, or any other General to be mulcted in damages for obeying, like a good and faithful officer, the order of his Commander-in-chief? Would we allow a policeman of Philadelphia to be fined and imprisoned for obeying an order of the Mayor? or should we make the Mayor responsible for his orders? The very clause which the gentleman read has simply this effect—that if the President of the United States gives an illegal order of that kind, he shall be responsible for it at the end of his term of office. The Constitution making him responsible by impeachment at any day during his official term.

Now, gentlemen, what was there improper, unjust, or tyrannical in that law? Yet the gentleman is going round cackling like a hen that cannot lay her egg, over the wrongs and tyrannies of the Government in protecting his candidate for the Presidency from as great an outrage as ever was sought to be perpetrated. Perhaps, however, he thinks that if the mad secessionists were to "bag" McClellan it would bring Mr. Pendleton into the Presidency at an early day, and thus suit his purpose as well. Now, gentlemen, there is the whole of that act, and there is my answer. I did vote for the act, and I will stand by it so long as the war

lasts if I remain in Congress. I will stand by every general that performs his duty; and I will hold the President responsible for his official acts to the last dollar of his estate and to the last letter of the Constitutional provision that enables us to impeach him for any violation of either the law or the Constitution.

I close as I began. I am for peace—perpetual, enduring, honorable peace—peace that shall extend from one end of the country to the other—a peace, in the enjoyment of which each one of us may travel on foot, in carriage or on rail-car through every town, city and State of our country—a peace under which you will be citizens, not of the nineteen Northern States, but of the whole thirty-five States of the Union—a peace at the end of a war so grand that the nations of Europe will say, “It will not do for us to trifle with that great people who in a civil war have evinced a power that Europe combined cannot display”—a peace that will forever teach ambitious men that they can make nothing by treason, and will limit their aspirations to the honorable avenues to fame—a peace that shall bless every man, woman, and child in the country. And while I am for all this, I charge unhesitatingly and unequivocally upon my friend, that the only conclusion to be deduced from his argument to-night and on the six preceding nights, is that he desires, prays for, and labors for the success of the Southern Confederacy, the division of our country, the striking of fifteen stars from our flag, the denial to you of your rights of citizenship in fifteen States, and the establishment over that vast empire of a system of labor under which the laborer shall have no wages save his rentless hut, the food his master may provide, and clothing such as we give to the pauper and the felon—a system under which the husband shall have no right to his wife, and the wife no right to her husband—under which the laboring man or laboring woman shall not have the right even to testify as a witness in court. In other words, that over that vast region embracing more than a million of square miles, he would reduce the men and women who follow the avocations which you, your wives and daughters follow, to the condition of things, to be sold upon the auction-block, and to be enumerated in the bills of executor's sales in phrases such as “horses, cows, slaves, and other cattle.”

NOTE.

In proof of my assertions, that the Democratic leaders have been engaged in a conspiracy to overthrow free labor and nationalize slavery as the condition of the laborer whether white or black, I submit a few extracts from their most eminent orators and writers.

“The theory of free labor is a delusion. Slavery is the natural and normal condition of the laboring man, white or black.”—*De Bow's Southern Review*.

“The enslavement of the laborer is right in itself, and does not depend on difference of complexion. Experience shows the universal success of slave labor and the universal failure of free labor.”—*Richmond Enquirer*.

“Slave labor, black or white, is right. Nature has made the weak in mind and body for slaves.”
* * * * *

“Make the laboring man a slave, and he would be far better off.”
* * * * *

“Two hundred years of liberty have made white laborers a pauper banditti.”—*George Fitzhugh's Sociology*.

“The enslavement of the laborer alone can save society against the dangerous vice of legislative intermeddling between the laborer and the capitalist.”—*George McDuffie, Governor of South Carolina*.

“The laws of all the Southern States justify the holding of white men in slavery.”—*Richmond Enquirer*.

“Men are not born to equal rights. It would be far nearer the truth to say that some were born with saddles on their backs and bits in their mouths, and others born booted and spurred to ride them; and the riding does them good. They need the rein, the bit, and the spur. Life and liberty are not inalienable. The Declaration of Independence is exuberantly false and arborescently fallacious.”—*Richmond Enquirer*.

“In all social systems there must be a class to do the menial duties, to perform the drudgery of life; a class requiring but a low order of intellect and little skill. This class constitutes the MUDSILLS of society, and of political government. The manual, hired laborers of the North—the operatives, as they are called—are mere slaves.”—*Hammond, of South Carolina*.

“There must be a class of men whose business is to dig the soil and tend the herds, and who must not be allowed to have any real or personal property of their own. This class never will, never can, and never ought to take any part in the political affairs of the country.”—*Hon. B. Watkins Leigh, of Virginia*.

“Free labor has failed, and that which is not free must be substituted.”—*Senator Mason, of Virginia*.

“Policy and humanity alike forbid the extension of the evils of free labor to new peoples, and coming generations.”—*Richmond Enquirer*.

“Slave labor should be allowed to pour itself abroad without restraint, and find no limit but the Southern Ocean. I would introduce it into the very heart of the North.”—*Hon. Henry A. Wise, of Virginia*.

“I would spread the blessings of slave labor, like the religion of our Divine Master, to the utmost ends of the earth. Wicked and rebellious as the Yankees are, I would extend it even to them.”—*Senator Brown, of Mississippi*.

"We will call the roll of our slaves on Bunker Hill."—*Hon. Robert Toombs, of Georgia.*

"The slave laborers of the South are far better off than the free laborers of the North. Our slave laborers are not only better off as to physical comforts than the free laborers, but their moral, social and domestic condition is better."—*Richmond Enquirer.*

"The condition of the slave laborers of the South is heaven on earth compared with that of the free laborers of the North."—*Rev. J. C. Pottell, South Carolina.*

"The Northern States, in rejecting slave labor, have destroyed order, and rejected the strongest argument to prove the existence of Deity."—*Richmond Enquirer.*

"Free labor is impracticable, and is everywhere starving, demoralizing, and insurrectionary."—*Richmond Enquirer.*

"The establishment of the Confederacy is a distinct reaction against the whole course of the mistaken civilization of the age. For 'Liberty, Equality, Fraternity,' we have deliberately substituted Slavery, Subordination, and Government."—*Richmond Enquirer.*

"Free society! We sicken at the name. What is it but a conglomeration of greasy mechanics, filthy operatives, and small-fisted farmers? All the Northern States are devoid of society fitted for a well-bred gentleman. The prevailing class is that of mechanics struggling to be genteel, and small farmers who do their own drudgery, and yet who are not fit for association with a gentleman's body-servant."—*The Muscogee Herald, Alabama.*

"Many in the South once believed that slaveholding was a moral and political evil, but that folly and delusion are gone. We now see it in its true light, and regard it as the most safe and stable basis for free institutions."—*John C. Calhoun, 1838.*

"The hand that is familiar with the plough-handle should never be permitted to touch a ballot."—*John C. Calhoun.*

"We are told that men are not only born equal, but free. The very reverse of this is true."—*Southern Christian Herald, Columbia, S. C.*

"I repudiate, as ridiculously absurd, that much lauded, but nowhere accredited dogma of Mr. Jefferson, that 'all men are born equal.'"—*Gov. Hammond, of South Carolina.*

"MECHANICS FOR SALE.—The subscriber has on hand two excellent carpenters, three blacksmiths, and one wheelwright, all excellent mechanics in their line; young, strong, and healthy, of quiet and peaceable dispositions, and several of them are *quite pious*; all of which will be sold at moderate rates. Persons in want of mechanics are invited to call and examine these, as they are all desirable workmen."—*W. G. Pennymaker, No. 50 Canal Street, Savannah, Ga.*

Closing Speech of Hon. W. D. Kelley, in the Northrop-Kelley Debate.

DELIVERED AT WEST PHILADELPHIA HALL, FRIDAY EVENING,
OCTOBER, 7, 1864.

PHONOGRAPHIC REPORT BY D. WOLFE BROWN.

WE close to-night, my fellow-citizens, the first discussion of this kind that, to my knowledge, has been held in Philadelphia or Pennsylvania. The contest was not of my seeking. On my return from Maine; I was invited by my distinguished competitor to meet him before the people of the District, that, after having heard us, they might judge between us with reference to our principles; and while I recognized the superiority of his mental endowments, and appreciated his more varied and elegant attainments, I did not feel at liberty to decline the invitation, but having confidence in my good cause, to borrow a phrase from his letter, I "at once" accepted the invitation, and am here to do my part in closing the controversy.

My distinguished friend concluded the discussion of last night by asking whether the Confederate States were in the Union or out of it. It seemed to me that that question ought not to be put to me at so late a day as this; but I proceed to answer it for your satisfaction, as it was propounded in your presence.

Are those States in the Union or out of it? That seems to be a very simple question, and it is so to my mind. They *were* in the Union. According to my judgment and my very publicly expressed faith, they are out of the Union, and are not at present States of the Union. In order to know precisely the condition of that country, and the duty of the Government, be it in the hands of what administration it may, toward the Confederate States and the people of those States, we must examine more than one question. First, to whom does the territory they occupy of right belong? and next, to whom do the people occupying the territory of right owe allegiance? When we shall have answered these questions, and examined in connection with them the question of government or political institutions, I think none of you will dissent from the opinion that the Confederate States are out of the Union.

The United States extended, at the beginning of Mr. Buchanan's administration, from the Aroostook, away there to the East, to the Rio del Norte, away beyond Texas; and from the Atlantic to the Pacific. The territory had been acquired by the right of settlement by our ancestors, and, as I have often reiterated in this discussion, by the right of purchase so far as concerns the States that were carved out of the Louisiana territory; by the same right, so far as concerns the Florida territory; and by the double right of purchase by money, and by the incidents of war, so far as concerns Texas. Having been thus acquired, it was your property and mine. It belonged as well to the people of Maine and Minnesota, as to those of Texas and Florida. It was the property of their Government in trust for the people under the Constitution and laws. It belonged to our Nation; and when the geographer, whether he was American, British, or Continental, drew the map of our country, he embraced all that territory. That territory still belongs to the United States. It has never been ceded by our Government to State, Kingdom, or Nation. The people of the United States would never have consented to its cession; for all the reasons which induced the acquisition of Louisiana, Florida and Texas exist as powerfully—nay, more powerfully to-day than they did at the respective seasons of acquisitions.

True it is that Mr. Buchanan, the head of the Democratic Administration, announced in formal message in the beginning of December, 1860, that, as President of the United States, he would not and could not defend our right to any portion of this territory, if the people occupying it should determine to steal it; and he enforced that announcement by accompanying his message with the opinion of his Attorney General, that the Government of the United States could not maintain its right to its own domain, if the people on it should determine to claim it as theirs. That is the doctrine of the Democratic party. From that doctrine I beg leave to dissent.

So much for the territory. It belongs to-night, every acre and every foot of it, to us, and "we the people of the United States," to borrow the first phrase of the preamble to our Constitution, own it.

Now, as to the people occupying that territory. On one proposition laid down by my distinguished friend, he and I agree thoroughly. I stand by it. He, though he announced it,

evades it in all his argument. It is that "the Constitution of the United States is the supreme law of the land." And I go so far as to say that it has been the supreme law of the whole land every minute of time since its inauguration; that there has been no interval or *interim* during which that Constitution has not been the supreme law of every acre of our country. If then the Constitution be the supreme law, every citizen of the States of South Carolina, Georgia, Mississippi and each of the other Confederate States owes and does owe supreme allegiance to the Constitution of the United States, and obedience to the Administration charged by the people with the preservation and maintenance of the Constitution and the execution of the laws.

Having settled the point that the territory belongs to us, and that the people who occupy it owe allegiance to our Government, I go on to ask how they are or may be governed under that Constitution.

Territory belonging to the United States and under the dominion of the Constitution is governed in one of two ways, and in time of peace can only be governed in one or the other of those ways. The first is by State Constitutions. When the Constitution of the United States was adopted, there were thirteen States; and under the National Constitution, and in so far as the people of those States had not limited their rights by the adoption of that Constitution, the Constitutions and laws of those States were respectively the government of the territory and people of those States. But there was a large amount of territory, not populous enough to be organized into States; and that was held as territory and governed by the United States. Part of it really had no government at all, because there were no white or civilized settlers upon it; but, as the column of settlement and civilization advanced, so did the Government of the United States, by the organization of territorial governments.

Thus Congress would lay off districts large enough for a State, sometimes large enough for three or four States; and organize it as a territory; and provide that the President should appoint a Governor, a Secretary, a Judge, and certain other officers. Certain restrictions were put on the power of the people of the territory, but they were invested with the right to elect a local legislature, so that they might begin at once to make their own roads, provide for their own poor, and attend to many elementary branches of home government. Congress, by an unvarying and unbending series of enactments, beginning with Jefferson's proviso, which secured freedom to the immense regions north and west of the Ohio (first adopted in 1787 by the Congress of the Old Confederacy, and re-enacted in 1789 by the National Congress), renewed in the bill for the organization of the territory of Louisiana in 1804, and terminating with the territory of Oregon in 1848, exercised without dispute the right to legislate on the subject of slavery in the territories; and every President, from George Washington down to Millard Fillmore, inclusive, signed one or more territorial bills prohibiting or restricting the right to introduce slaves upon the soil of those territories, or hold them there; the whole policy of our Government having been to promote free labor and restrict slavery, which was regarded as a great wrong within its narrowest constitutional limits.

Now, my friends, the territory embraced by the Confederate States either constitutes States in the Union, or it must be governed as we govern territories; or being in armed insurrection, it must be governed under and by the war power. I started with the proposition that all those States *were* States in the Union, that no act of the Government has impaired their rights as States in the Union; and I cited the other evening, and refer you to my printed remarks to find, the appeal of Alexander H. Stephens, the present Vice-President of the Confederacy, to the Convention of Georgia that passed the ordinance of secession, in which he pleaded with the members not to take that fatal step, and averred that, in the whole history of the country, the United States Government had never violated or assailed a single right of any Southern State or man. His voice was not heeded. That Convention and others did take the *fatal* step which extinguished the institutions and provisions which made Georgia a State of the Union; I say this not now for the first time. On the 3d of May last I had the honor to discuss this question on the floor of Congress; and I propose, instead of making a new argument on the point in question, to read a brief extract from the remarks I then made.

"Sir, a State is not immortal; it has a mortal existence; it has its beginning, its transitions, and may have its end. A State may be killed, a State may commit suicide. The act of God may carry through the portals of death the entire people of a State, and extinguish it by reason of the want of citizenship. A foreign Power may subdue the people of a State, hold and exercise dominion over them and their territory, overthrowing their institutions, and establishing others in accordance with the views of the conqueror, thus destroying the State and reducing the people to the condition of subjects, from which they could only escape by successful revolution, or by the assistance of a people from beyond the limits of their State.

"Sir, I have said a State may commit suicide. A sovereign convention of the people called to consider the propriety of amending, revising, or abolishing the constitution may abolish that constitution, and having proposed no new one adjourn *sine die*, submitting their work to the people, and if approved by them, the State would cease to exist. It might be succeeded by a monarchy, a despotism, or any other form of government; or its territory might be occupied by a foreign Power, or both people and territory be absorbed by a conterminous foreign nation. This the people of the revolted States have done. They have de-

stroyed the institutions which bound them politically to this Government. They have organized a foreign government, and seek to transfer to it part of our domain."

Gentlemen will oblige me if they will, as my argument proceeds, carry in their minds the fact that the territory is ours, and that the allegiance of every man on it is due to our Government by virtue of the gentleman's first proposition, that the Constitution is the supreme law of the land. The people of those States have abolished their State governments. They have, so far as in them lay the power, withdrawn their allegiance from our Government. They no longer send Senators to the United States Senate, or members to the United States House of Representatives. They no longer admit United States Judges, either of the District or of the Supreme Court, to go within their limits and hold court. They have seized our custom-houses, post-offices, arsenals, forts, hospitals, mints, and other property. They have severed all the ligaments that bound them to our Government, and have organized upon our own soil a military government, and made war upon us, first firing upon our flag when it was borne by the Star of the West, and again on the 12th of April, 1861, as it floated over Fort Sumter, when they made open war on 70 United States soldiers who were there to protect the harbor of Charleston against foreign invasion. Are we, by reason of their violent and illegal acts, to surrender half of our country? Because a thief has come into your house and possessed himself of your casket of jewels, and shakes it impudently in your face, are you to acknowledge that it is his? Because a man has knocked you down and taken the watch out of your pocket, and holds it to your ear and says: "It ticks as it did when it was yours; but it is now mine," are you quietly to say, "Yes, sir, it is yours?" Or are you to knock him down, if you can, and "repossess" yourself of your property, or if he is too large and too strong for that, is it not your duty to summon the police, have him arrested, regain your property, and prevent him from doing harm to others? Your natural rights justify and require you to protect your property and resist him who would wrest it from you. At the head of our Government is always a President; the office is never vacant; one incumbent holds until his successor is sworn in; the moment the President dies during his official term, the office devolves on the Vice-President. The President of the United States is sworn to "preserve, protect, and defend the Constitution." When these people first stole our land and other property, James Buchanan was President, and was bound by his inaugural oath to maintain the supremacy of the Constitution over all those States. My Democratic friend, Abraham Lincoln was not then in office.

The Confederacy was organized during the term of James Buchanan, and the President and Vice-President of that Confederacy were installed in the month of February preceding the inauguration of President Lincoln. It was Mr. Buchanan, who, being President, apologized to one thief, and said, "Take the casket; I have no power to prevent you." And to another: "You will find it a very good watch; I should like to have it back again; but I have no power to prevent you from taking it. There is no law against it." And thus let the rebels go on in their lawless career which was to result in the greatest war of history.

Mr. Lincoln, in his inaugural, extracts from which you will read in the reports of the debate, appealed to those who were organizing in opposition to the Government. He told them that he did not want war; he reminded them that he had registered an oath to "preserve, protect, and defend the Constitution;" he assured them that, in spite of all they had done, the United States mails should be carried through their territory as theretofore. He urged upon them to consult the "sober second thought," and concluded by saying: "My fellow citizens, the issue of civil war is not with me, but with you." But spite of all this, on the 12th of April, 1861, they made the issue of civil war, and stormed Fort Sumter.

I ask every Democrat present, whether, under these circumstances, the assertion that this is a "negro war," as it was described last night, is not a wicked fabrication. Yes, it is evidently a war to maintain for you and your posterity more than half your country—to maintain for you and your posterity, and the millions of oppressed people of Europe and their posterity, the blessings of our Constitution through all time and over all the broad limits of our grand and heaven-enriched country. For this is the question of the war; whether the Southern Democratic friends of my friend (Mr. Northrop) shall build up a foreign Confederacy on half our empire, or whether the loyal American people will put down the Democratic party North and South, and maintain the unity of their country, and the supremacy of its constitution.

But let me proceed with the argument I was pursuing. At the breaking out of the war the Northern States had, according to the census, about four million white men between the ages of 18 and 45, and the rebellious States had about 1,300,000. This looks as though we ought to have marched right over them. But this statement alone is very delusive. Our four millions of men were not only our fighting power, but they were the bone, sinew, muscle, and energy of our agricultural, commercial and industrial power. Upon them depended the maintenance of the large factories and workshops and smaller establishments, by which our people gain their livelihood, and by the industry and enterprise of which the greatness of our States has been built up. On the other hand, every slave-girl over ten or twelve years of age, and every slave-woman, except for a period of from two to four weeks allowed for a confinement, does a man's work in the field; so that, taking their fighting and their laboring power

together, the South were nearly if not quite equal to us. Our girls and boys are in schools; our young men are in colleges; our women do no labor in the field, and but little servile labor at any time. But any of you who have been South know that as to the question of hoeing, tending, and picking corn, cotton, and other slave products every girl of twelve years of age and every woman counts as a man. So that, taking the laboring and fighting power together, the two parties were as nearly balanced as belligerent nations often are. The South had the advantage of being on their own soil. Their base of supplies was around their camp, while we had to travel thousands of miles to penetrate distant parts of their country. We had to employ in transportation a great many more than the actual difference in fighting and laboring power between the two sections. They were at New Orleans; we had to go thousands of miles to get there. They were at Vicksburg and Port Hudson; we had to go thousands of miles to get there. They were at Atlanta; Sherman fought nearly a thousand miles to get there, and he now has to protect his long line of communication. So that, with regard to the chances of successful war, the rebels at the beginning had greatly the advantage. I saw this, as did many other men; and from the day when the insurgents fired on our flag, I urged our Government to do what I think it ought to have done—issue a proclamation forthwith, offering protection and arms to every loyal Southern man who would come to our flag, and promising employment and wages to the family of every such man. They ought not to have confined it to the red-whiskered men, or to the men with light hair, or to the men with light complexion; they ought to have said to *all* the men of the South, "We are your Government, come and support your flag. We have arms for you; and we will protect your families while you fight for the supremacy of the Constitution and the unity of the country." But my friend, and the leaders of his party, went about the country saying to the Democrats and the more "conservative" men, "Abe Lincoln and his friends are getting up a war to make the nigger your equal;" and they inflamed the passions of the people so that the Government did not dare take away from the South its laborers and put arms in their hands.

This was the first great service the Democratic party did the rebellion. They kept the Rebels well supplied with labor, and, during the first eighteen months or two years, threw the whole burden of the war upon the white men of the North. We wanted to make each Southern State furnish without regard to complexion of the man its quota to our army. They said "No; the white men of the North had better die than that we should make soldiers of the negroes." They played upon your passions and the passions of other men in the country, so that the Government did not dare to enfeeble the rebellion by withdrawing its laborers from it. To such appeals, from the mouths of my friend and his companions may be charged more than a hundred thousand graves of Northern youth and men; for if we had taken the negro on the first day of the war, not one-half the number of white soldiers that have been required would have been called to the field.

But was it constitutional, was it legal, thus to take the slaves of the South and employ them in forwarding the success of our cause? I turn you to a decision of the Supreme Court of the United States, made at the March term, 1863. That tribunal, in deciding the case of the claimants of the schooner *Brilliant*, etc., vs. the United States, declared that "when the regular course of justice is interrupted by revolt, rebellion, or insurrection, so that the courts of justice cannot be kept open, civil war exists, and hostilities may be prosecuted on the same footing as if those opposing the Government were foreign enemies invading the land."

Is not "the regular course of justice interrupted" in the rebellious States, "by revolt, rebellion, or insurrection?" Do they permit a United States Judge to sit in any of their courts and administer the laws of the United States? No; and from the time they thus, by their rebellion, obstructed "the regular course of justice," it was, according to this decision, of the Supreme Court of the United States, the duty of our Government to conduct that war "*as if those opposing the Government were foreign enemies invading the land.*" And in the same opinion, that Court held that "all persons residing within this territory" (that of the Confederacy), "whose property may be used to increase the revenue of the hostile power, are, in this contest, liable to be treated as enemies. * * * Whether property be liable to capture as enemies' property does not in any manner depend upon the personal allegiance of the owner."

In other words, the court decided that the rebels were to be treated as foreign enemies invading our soil, and that it was our right to seize all the property of every citizen of that territory that could be made available for strengthening our enemies.

But the gentleman says we had no right to take their slaves, because it was unconstitutional. I have shown you that they have discarded the Constitution, have trampled and spit upon it, and made war upon those who maintained it. You cannot reject an instrument and yet claim your benefits under it. The Supreme Court has decided that you can take the property of belligerents, and there it stands. No man will deny that slaves digging entrenchments, hauling cannon, furnishing commissary and quartermaster stores, and doing all that the slaves of rebels have done, were property, and property used to aid in carrying on the war. Therefore, under the decision of the Supreme Court of the United States, it was not only the right but the duty of the Government to seize that property.

But let not the assertion of this right rest on a single decision of our own court. In the

very same case, that court, following every writer on international law from Grotius to Phillimore, decided that the right of one belligerent not only to coerce the other by direct force, but also to cripple his resources by the seizure or destruction of his property, is a necessary result of a state of war.

Let us, then, come back to the question : Are slaves property ? If they are, it is our right by the broad code of international law—it is our right by the express decision of the Supreme Court—to seize that property and prevent the enemy from using it, and to put it to use ourselves to bring the war to an end. I say that slaves are property. But my friend may quibble, and say that slaves are persons and not property, and that the slaveholder owns, under the Constitution, only the right to the slave's labor—that slavery is a debt—that the slave owes his labor and service to his master in return for his food, clothing, and medicine. Very well, then ; I will consider slavery as a debt. I have demonstrated that, if slaves are property, we must take such property. I now look at the slave as a person owing a debt.

One of the clearest principles laid down in international law is, that two governments being at war, either of them may confiscate debts due to citizens of the other. Thus, in Vattel I find perhaps the clearest expression of the principle.

" We have a right," says Vattel (Book 3, sec. 161), " to deprive our enemy of his possessions, of everything which may augment his strength and enable him to make war. This every one endeavors to accomplish in the manner most suitable to him. Whenever we have an opportunity, we seize on the enemy's and convert it to our own use; and thus, besides diminishing the enemy's power we augment our own, and obtain at least a partial indemnification or equivalent, either for what constitutes the subject of the war, or for the expenses and losses incurred in its prosecution."

Again, in Book 3, sec. 77, Vattel says :—

" Among the many things belonging to the enemy are likewise incorporeal things—all his rights, claims, and debts."

This principle of the right of a nation to seize the debts due to citizens of another nation with which it is at war is as old as international law itself. That it has been fully recognized by our own courts, I will prove by reading a short extract from the opinion delivered by Chief Justice Marshall in the case of *Amity Brown v. The United States*, 3 Curtis, 48 : " The right of the sovereign to confiscate debts being precisely the same with the right to confiscate property found within the country, the operation of a declaration of war on debts and on other property found within this country must be the same." Justice Story dissented from the opinion of the court in this case, but concurred in this principle in the following language : " I take upon me to say, that no jurist of reputation can be found who has denied the right of confiscation of enemy's debts."

My competitor is a distinguished lawyer, and he will not peril his reputation by denying any of these positions. Thus you see that it was our duty, in the way of humanity—it was our duty to the white men of the North—it was our duty as a means of shortening the war by crippling the enemy's power, to take their slaves and make soldiers of them; and the only reason that we did not do it earlier was that the Democratic press and Democratic orators inflamed the passions of Northern men against the negro, and cried out that in trying to use him to save the white man we were making a war for the " nigger."

Now Congress did not hurry in the work of employing the negro of the South to assist our cause. It was all too slow in rising to the level of its high duty. It was not until the 27th of July, 1862, that it passed a law for the confiscation of slave property, and at that time it enacted " That all slaves of persons who shall hereafter be engaged in rebellion against the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the enemy; and all slaves captured from such persons or deserted by them, and coming under the control of the Government of the United States; and all slaves of such persons found, or being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves."

That enactment was passed on the 17th of July, 1862. On the 25th of July, eight days thereafter, President Lincoln issued a proclamation announcing the passage of that act, and warning the rebels of the South, the insurgents engaged in war, that at the end of sixty days that act would be carried into effect, and their slaves would be emancipated. The sixty days rolled round ; but the *fiat* of freedom did not go forth for three long months and more thereafter. The thunder and lightning that were to make millions free were suspended in the hope that those who had once been our brethren would again resume their allegiance to the Government and bless the land with peace. But on the first of January following, Abraham Lincoln, President of the United States, in virtue of his war power, issued a proclamation which, after reciting certain premises, declares as follows :—

" Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-chief of the Army and Navy of the United States, in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accord-

ance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first mentioned above, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit:—

“Arkansas, Texas, Louisiana (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city New Orleans, Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are for the present left precisely as if the proclamation were not issued.

“And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of the said persons.

“And I hereby enjoin upon the people so declared to be free, to abstain from all violence, unless in necessary self-defence; and I recommend them that, in all cases when allowed they labor faithfully for reasonable wages.

“And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States, to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

“And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.”

Who says that that proclamation was wrong? Which man among you all will not say that it was made in pursuance of the law and the judgments of the courts? Which one will not say that it is sanctioned by the code of international law which has grown up through the long centuries? Which of you will deny that it is sanctioned by civilization and by Christianity—that it is in accordance with the great history and the greater hopes of our country? Which of you will deny that, from the hour when the proclamation reached the nations of Europe, the heart of humanity thrilled anew, and over the hills and vales, in the cottages and huts of oppressed Europe, mankind felt that freedom had received a new guarantee, and that America was henceforth, as heretofore, to be the land of the free and the refuge of the oppressed from all lands?

[Mr. Northrop followed in a speech of one hour and a half.]

Judge Kelley replied thus:—

My fellow-citizens, I submit to you whether, if a stranger had come into this hall as the gentleman began, not knowing the circumstances of the case, he could have told for which Government he was pleading, the Confederate or that of the United States; or whether he might not well have concluded that a body of the loyal people of the North had been assembled to hear a commissioner from the Confederate Government plead their cause and ask for time. The whole drift of his argument has been against the cause of the country and the Constitution, and in favor of those with whom we are at war.

He asks whether, as I say States can commit suicide, we are marching our armies after “the dead body.” Oh no, sir, we are not going after the corpse, but after the broad estate that our revolutionary ancestors left us, and to which our fathers and we have made such splendid additions.

We mean to have every acre of it; and we mean to reconstruct the Union of free States. The gentleman says that he and his party want reconstruction. Yes; but they want it under Southern dictation. We do not want “to hold provinces;” there is no power to do it; but while a foreign foe (made foreign by its own acts and the law of nations) stands in arms against us, we must, as we conquer that territory, hold it under military rule. What the government and the loyal people mean to do is to bring that territory and the people who are on it into subjection to the government to which they owe allegiance; and whenever they lay down their arms, reorganize State governments, elect senators and representatives to the Congress of the United States, allow the United States judges to hold court, and the United States postmasters and collectors to perform their functions, the war will be at an end. That is what we want.

The gentleman and his party do not want reconstruction. Let me prove this assertion. We have admitted into the Union the State of West Virginia, containing 48 counties (while Pennsylvania contains but little over 60); and having within her limits nearly half a million of people. The people drove the rebels out of their limits; they elected delegates to a convention; they adopted a constitution and asked admission into the Union. She was regularly admitted as other States have been. Yet the Democratic party, in their processions, carry flags with 34 stars, because they will not recognize the reconstructed State of West Virginia by adding the thirty-fifth. When some of the people of that State sent delegates to the

Chicago Convention the Democratic party in grand council assembled refused those delegates admission, because that party does not recognize the reconstructed State of Virginia.

In view of these facts the gentleman's assertion that they are in favor of reconstruction puts me in mind of the anecdote of the woman and her drunken husband. He had kicked the children out of doors and knocked her down, and then picking her up, he said, "Peggy, I do love you." "Do you love me, John?" said she. "Yes, Peggy, I do." "Well, then," replied she, "why the devil do you knock me down and drive the children out of doors, if you love me so?" So I say to the Chicago Convention and its adherents, "If you want reconstruction, why do you refuse to recognize West Virginia until General Lee and the other slave-driving traitors in arms against your country give their consent, and, meanwhile, kick her delegates out of doors?"

No, fellow-citizens, the Democratic party do not want reconstruction. They want to recognize the independence of the Southern Confederacy, and then to put this proposition to the people of the country—"Now, gentlemen, let us have a new deal. The mouth of the Mississippi is just as essential to us as it ever was. New England has a free labor system. New England, it is true, pays wages to everybody who works; she has a common school system, and educates all her children and the child of every poor emigrant who comes within her borders. But New England is a manufacturing district, and Pennsylvania is a manufacturing district. The South does not produce manufactured articles; and, therefore, it will be to your interest to cut loose from New England, your rival, and go with your customers, the South." That is the argument they wish to make, and that is what they want to do. They want to have a new deal and crowd out freedom-loving, wages-paying, Bible-reading New England, and bring the laborers of Pennsylvania and the other Middle States under the iron heel of the slave driver, and into competition with the system of unpaid labor that prevails in the South. That is why this gentleman, whose *alma mater* is in the bosom of New England, goes round exciting prejudices, on the one hand, against the negro, and on the other, against New England, that furnished more men for the Revolutionary War than all the Southern States together. New England, the land that poured out (save the blood of one Pennsylvania negro who was assaulted in Baltimore on the 18th of April, 1861) the first blood that was shed in this rebellion—that of the soldiers of her 6th Massachusetts regiment, who were attacked on the 19th of April, 1861, in the city of Baltimore.

Workingmen, this is a question for you to consider. What we are after is, as I have said, not the corpse, but the grand estate our Revolutionary fathers left us. The gentleman does not want hundreds of thousands of Northern soldiers to hold the South in subjugation. Then let him and the Democratic party say to the South, "We are going to fight this through, and you may as well succumb now as hereafter," and the South would succumb. Their only hope is in the election of the Democratic ticket, and the attainment of such a peace as the gentleman prays for. I answer him that we do not want to hold the people of the South in subjugation. The people of the South are constantly escaping to us for protection. Take up a paper of any day and read the account from which of our armies you will, and you will learn how many deserters are coming into our lines, taking the oath of allegiance, and being sent North. You will learn how many are taking up arms and aiding us to fight the despots of the South; and in the paper of this evening I read a speech made by Jefferson Davis, made at Macon Georgia, on the 24th of September, in which he says, "We want our soldiers in the field, and we want the sick and wounded to return home. It is not proper for me to speak of the number of men in the field, but this I will say, that two-thirds of our men are absent, some sick, some wounded, *but most of them absent without leave.*"

Two-thirds of their army are "absent without leave," and yet the gentleman says that the war is to be interminable, and he does not want Northern soldiers to hold the South in subjection for centuries. "Some sick, some wounded, but most of them absent without leave!" Aye! absent in the Northern States, seeking the protection of the flag they worshipped in childhood, and devoting themselves to the restoration of the Constitution of their fathers, and the unity of the broadest, richest, grandest country God ever gave to any people. And it is for this dying Confederacy that the gentleman pleads with you, men of the Twenty-fourth Ward, that you will hand over the graves of your sons and brothers who have died in this war, to an alien government, so that when you desire to visit those graves you shall be obliged to do it in a foreign land, and while doing it have a foreign flag flouted in your face, and be insulted by being told that just when you had your enemies whipped, you became panic and terror stricken, and made a cowardly peace. It is for this that the gentleman pleads. Am I not right? His closing argument last night was that we should pause and hold an interview with Confederate commissioners. He considers theirs a government which we should recognize; and he said that when we should have come to terms, the armies could be withdrawn. That was his language. I say, never withdraw an army from our own territory while there is an enemy arrayed against that army; and least of all, in the very hour of victory and conquest, surrender and withdraw our armies! Whose country is it on which those armies stand? Ours—ours by the right of inheritance—ours by our duty to posterity—ours by our duty to mankind at large. And do not pause when Davis almost weeps over the sad story of defeat, that now stares him in the face; do not pause, and parley, and withdraw your armies, and

surrender into slavery two hundred thousand men, who to-night are under arms fighting your battles; do not force Maryland and Missouri, whose people have abolished slavery, to re-establish it; do not strike from the flag of your country the star of West Virginia, and do it all in compliance with the demand of those who have frightened the soul out of the leaders of the Democratic party. I did not mean last evening to challenge the courage of individual members of that party. I merely meant to say that the leaders had made a wretchedly cowardly platform, which, for peace, would surrender an empire.

"Withdraw your armies when you come to terms!" Withdraw your armies! Where to? For what? In order that Sherman may have to retake Atlanta? In order that Grant shall have to do again what McClellan never could do—put a cordon around Richmond and Petersburg?

"Who saved your capital?" exclaimed the gentleman. Abraham Lincoln saved it by retaining McDowell, with forty thousand men, between Lee and Washington, when McClellan insisted on the whole army being sent to the Peninsula, that Washington might be left entirely uncovered. Abraham Lincoln, by his firm adherence to McClellan's stipulation that 120,000 men were enough for the Peninsula campaign, and that he would leave at all times 40,000 men to cover the capital, saved it. The gentleman also sneered at General Pope. Who betrayed John Pope? Ah! it does not lie in the mouth of a McClellan man to taunt John Pope with his defeat. Here are the proceedings on the trial of Fitz John Porter, and let me read you one of the many charges and specifications which nine officers, all West Pointers, found to be every one sustained fully by the evidence:—

Specification First. In this, that the said Major-General Fitz John Porter, during the battle of Manassas, on Friday, the 29th of August, 1862, and while within sight of the field, and in full hearing of its artillery, did receive from Major-General John Pope, his superior and commanding officer, a lawful order to attack the enemy, in the following figures and letters, to wit:—

"HEADQUARTERS IN THE FIELD, Aug. 29, 1862—4.30 P. M.—*Major-General Porter:* Your line of march brings you in on the enemy's right flank. I desire you to push forward into action at once on the enemy's flank, and, if possible, on his rear, keeping your right in communication with General Reynolds.

"The enemy is massed in the woods in front of us, but can be shelled out as soon as you engage their flank. Keep heavy reserves, and use your batteries, keeping well closed to your right all the time. In case you are obliged to fall back, do so to your right and rear, so as to keep you in close communication with the right wing.

(Signed) "JOHN POPE, Major-General Commanding."

"Which said order the said Major-General Porter did then and there shamefully disobey, and did retreat from advancing forces of the enemy, without any attempt to engage them, or to aid the troops who were already fighting greatly superior numbers, and were relying on the flank attack he was thus ordered to make to secure a decisive victory and to capture the enemy's army—a result which must have followed from said flank attack, had it been made by the said General Porter in compliance with said order, which he so shamefully disobeyed. This, at or near Manassas, in the State of Virginia, on or about the 29th of August, 1862.

Specification Second. In this, that the said Major-General Fitz John Porter, being with his army corps, on Friday, the 29th of August, 1862, between Manassas and the field of a battle then pending between the forces of the United States and those of the rebels, and within sound of the guns and in presence of the enemy, and knowing that a severe action of great consequence was being fought, and that the aid of his corps was greatly needed, did fail all day to bring it on the field, and did shamefully fall back and retreat from the advance of the enemy, without any attempt to give them battle, and without knowing the force from which he shamefully retreated. This, near Manassas Station, in the State of Virginia, on the 29th of August, 1862."

While thus betraying General Pope and his army, Fitz John Porter was telegraphing that he hoped McClellan was pleased with what he was doing! I appeal to history to prove this assertion. I stand ready to sustain it in any court of justice or council chamber of the world. Said I not truly that Abraham Lincoln by his firmness saved the capital? He had sworn "to preserve, protect, and defend the Constitution;" and in his annual message to Congress, of December, 1861, he had said, "The Union must be preserved, and hence all indispensable means to that end must be employed." And slowly, but surely, he has used all "indispensable means," and if we sustain him at the coming election, and give him a Congress to stand by him, before that Congress shall begin its official term, you will find the whole of the rebellious States reconstructing and the lesson will have been taught for all time that the American people will not tolerate insurrection, rebellion, or treason, let who may be engaged in it.

The gentleman holds up to us the history of Italy. Why, sir, it was early in the Christian era that Italy was dismembered; and now, in the latter half of the nineteenth century she is reconstructing! Every month of her intervening history has been a record of war and blood. And if we allow the American republic to be dismembered, it may be another cycle of war before the work of reconstruction begins.

The rebellion is now falling. It needs but the grasp of Grant, and Sherman, and Butler, and Farragut, and their brave men, to crush the shell; and let us stand by them until they do it. Let us transmit unbroken to our posterity the heritage which we received from our ancestors. Let us proclaim to the world that the free institutions of America still cover the broad land of America, and that henceforth as heretofore, the poor and the oppressed shall here find a welcome—shall here find wages for their labor—shall here find the honors of the land open to them—shall here find the children born of their loins on the soil, the possible candidates for the highest honor that the American people can confer. In other words, my fellow-citizens, let us, before we part to-night, pledge ourselves in the eyes of the nations and the people of the world, in the presence of the God of our fathers and our God, that, rather than surrender, we will lay down our lives—that it is the determination, unshaken and irreversible, of each one of us, that we will maintain and transmit for all time, one Union, one Country, one Constitution, and one Flag for the people and land of America.

